the weekly
Standard

MAY 15, 2006

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REMEMBERING JEAN-FRANÇOIS REVEL
STEPHEN SCHWARTZ

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MAGGIE GALLAGHER on the new threat to religious liberty

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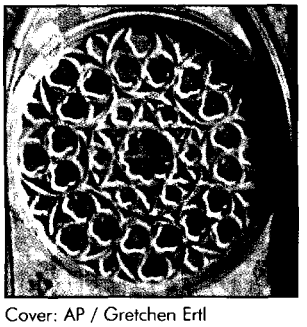

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Rumsfeld's "Heckler"

The story line was compelling: A face-off between a beleaguered secretary of defense and a brave former intelligence professional. "Rumsfeld Heckled by Former CIA Analyst" blared the headline on the ABC News website. The AP reported that a "former CIA analyst, Ray McGovern, asked [Donald Rumsfeld], 'Why did you lie to get us into a war that caused these kind of casualties and was not necessary?'" When we Nexised "Ray McGovern and Rumsfeld" last Friday, the day after their confrontation during Rumsfeld's appearance in Atlanta, 50 stories turned up.

What all but one failed to report was the relevant fact that McGovern is not simply a veteran of the CIA but a hard-left conspiracy theorist who blames the Iraq war on "O.I.L." As McGovern that night told MSNBC's Tucker Carlson, the only member of the mainstream media with the elementary curiosity to broach the subject, O stands "for oil; I for Israel; and L for logistics, logistics being the permanent . . . military bases that the U.S. wants to keep in Iraq."

McGovern's extremism on the subject is no secret. He was the star witness in June 2005 at a mock impeachment hearing organized in the basement of the Capitol by John Conyers, the ranking Democrat on the House Judiciary Committee. As Dana Milbank reported at that time in the *Washington Post*, McGovern "declared that the United States went to war in Iraq for oil, Israel and military bases craved by adminis,tration 'neocons' so 'the United States and Israel could dominate that part of the world.' He said that Israel should not be considered an ally and that Bush was doing the bidding of Israeli Prime Minister Ariel Sharon. 'Israel is not allowed to be brought up in polite conversation,' McGovern said. 'The last time I did this, the previous director of Central Intelligence called me anti-Semitic.'"

Milbank further reported that "at Democratic headquarters, where an overflow crowd watched the hearing on television, activists handed out documents repeating two accusations—that an Israeli company had warning of the Sept. 11, 2001, attacks and that there was an 'insider trading scam' on 9/11—that previously has been used to suggest Israel was behind the attacks."

It was all too much for Democratic party chairman Howard Dean, who the following day joined the unnamed previous director of Central Intelligence in his low opinion of McGovern: "As for any inferences that the United States went to war so Israel could 'dominate' the Middle East or that Israel was in any way behind the horrific September 11th attacks on America," Dean pronounced, "let me say unequivocally that such statements are nothing but vile, anti-Semitic rhetoric."

In January, McGovern popped up again, this time as front man for an exceedingly unsavory group called Not In Our Name. According to the group's press release, McGovern served war crimes "indictments" from a "people's tribunal" on the Bush White House. Not In Our Name is a coalition formed in 2002 by the likes of the Maoist Revolutionary Communist party. It is commonly referred to as anti-war, but it's no such thing. Some of its constituent groups profess a deep belief in revolutionary violence—which is to say, they are pro-war, they just want the United States to lose.

The moral of the "Rumsfeld heckler" story is clear. So long as someone is trashing the Bush administration's Iraq policies, most journalists these days will happily sanitize the critic's unseemly views. As long as Cindy Sheehan was an attractive club to swing against the Bush White House last summer, she was portrayed simply as a grieving mother who had lost her son in Iraq. Which she was, but she was also, rather like McGovern, an enthusiast for the violent left who called Bush a "lying bastard," said that "this country is not worth dying for," and called the Islamist insurgents in Iraq "freedom fighters."

Rumors that McGovern will be lecturing on the Israel lobby at Harvard's Kennedy School of Government this fall appear to be unfounded. ♦

Patrick Kennedy Update

In last week's issue, THE SCRAPBOOK brought you the woefully underreported tale of how Rhode Island Democratic congressman Patrick Kennedy had last month wrecked his car pulling into a CVS parking lot in his home state. His own handwritten account of the accident (in a police report supplied to us by *Boston Herald* columnist Howie Carr) looked like it had been scrawled with his teeth so that he could keep his cocktail-shaker hands free. Police on the scene in Portsmouth reported that Patrick "appeared normal," though "normal" is a relative term when it comes to the Kennedy clan. After all, Patrick's dad Teddy, according to a witness in Cousin Willie's 1991 Palm Beach rape trial, once visited his son and son's date "with no pants," walking "kinda wobbly."

Patrick, who usually takes a year or two off between career-debilitating incidents such as trashing yachts and pushing around female airport

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security guards, this time decided a quick follow-up was in order. Early last Thursday morning, at 2:45 A.M., he was involved in a single-car accident near the Capitol building. According to a letter obtained by *Roll Call* from the acting chairman of U.S. Capitol Police chapter of the Fraternal Order of Police, Greg Baird, to the acting chief, Christopher McGaffin, Kennedy's Ford Mustang had its lights turned off and nearly collided with a police cruiser before smashing into a security barricade.

Patrick himself was "observed to be staggering" and claimed he was "late to a vote." Baird wrote that Capitol Police Division units were prohibited from performing field sobriety tests, as two sergeants said they were taking over, and a Capitol Police House Division official gave Patrick a ride home. While Baird's letter suggests foul play, Patrick has since attributed his behavior to an unwholesome combination of prescription drugs and a relapse into dependence on painkillers.

But two witnesses, including a hostess at the Hawk 'n' Dove, one of Patrick's regular Capitol Hill watering holes, told the *Boston Herald* that Patrick had some additional "medicine" that evening. "He was drinking a little bit," she said. Now, the pile-on has begun. So much so, that we almost feel bad for Patrick Kennedy, who has announced he'll be reentering rehab at the Mayo Clinic.

We hope his critics will give both him and his police protectors the benefit of the doubt. After all, who ever heard of a Kennedy covering up a car accident? It's just not their way. ♦

Book Notes

Congratulations to Matthew Continetti, a staff writer here at THE WEEKLY STANDARD, whose new book *The K Street Gang: The Rise and Fall of the Republican Machine* (Doubleday) hit bookstore shelves April 18. An unflinching chronicle of the astonishing career of conservative activist-turned-superlobbyist-turned-fraudster Jack Abramoff and his cronies, the book is a great read. As his colleague, we wholeheartedly recommend it. As a conservative, we hope the book will contribute to the mucking out of Washington's Augean stables, and that it will therefore need no sequel. ♦

D'oh

We wrote an egregiously incorrect caption for one of the photos accompanying Michael Fumento's article "Back to Falluja" last week. The sign in Karma threatening, in bad English, "Go out of our country saveges [sic]" was of course not an "Iraqi warning to foreign insurgents" but a warning from Iraqi insurgents to Americans. ♦

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Casual

My Fellow Immigrants

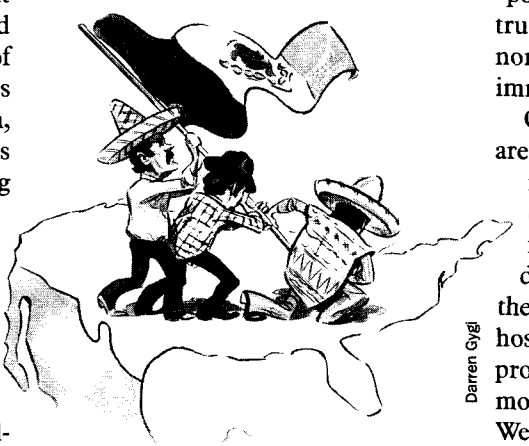
The mass marches, stay-away-from-work, boycotts, and other demonstrations by Hispanic immigrants, legal and illegal, have been extraordinarily effective. They have persuaded me to reexamine my steadfast support for immigration. Me, a guy whose father came over from Poland at the age of nine, with a tag tied to him to identify him to Ellis Island workers and a relative waiting at dockside.

Like many economists, I recognized that immigration probably—but not certainly—exerts some downward pressure on wages at the lower end of the wage scale. But the economy is providing jobs for all who want them, and the market is fixing things in its usual efficient manner by driving hundreds of thousands of the underskilled to enroll in community colleges and training programs.

Besides, my personal experience with immigrants has been agreeable. My wife and I are careful to hire only legal immigrants, and we have watched them move up the ladder from gardener to nursery owner. Who can object to people who come here to work, and often at jobs that Americans don't seem to want at anything like the wages being offered?

The demonstrations of recent weeks produce second thoughts. For one thing, forget about my father, who worked by day and attended school by night to learn English. These immigrants are different. Encouraged by the madness known as multiculturalism, the demonstrators proudly displayed their adherence to the language of their mother country. Spanish *si*, English no. Not a good idea for those seeking to rally support for their cause, although not as bad as waving Mexican flags, a practice temporarily abandoned after the first round of demonstrations, but reinstituted during the Day Without an Immigrant, the May 1 strike and boycott sponsored by organizations such as Mexicans Without Borders and ANSWER (Act Now to Stop War and End Racism), the latter a group that opposes sanctions on Cuba and the war on terror.

More important, many Mexican immigrants do not see America as a new home, which they enter with obligations as well as rights. To them, America is their land, stolen by gringos. By that reasoning, there can be no illegal immigrants, only people reclaiming their rightful inheritance. Which the Mexican government feels justifies the efforts of its diplomats to teach its citizens how to enter our country illegally.



Darren Gygi

Throw in an altered, Spanish language "*Nuestro Himno*," written by a Brit to provide Hispanics with a substitute for "The Star Spangled Banner," and you have this economist wondering whether economics matters, and whether his support for immigration is misplaced.

Perhaps not—if . . . if we can only be clear about some basics. Any move to regularize illegals will produce a new flood of them, just as the last amnesty did. So it must be accompanied by the construction of a wall—concrete and electronic—to reduce the flood to a trickle. Second, let immigrants learn English, as President Bush (perhaps less enthusiastic than in the past about campaigning in Spanish) insists "people who want to be a citizen of this country" ought to do. This means eliminating bilingual programs. Third, develop a path toward citizenship for those who learn English, pay back taxes and fines, and wait their turn.

Part of me realizes that this is a cop-out. We *won't* build a wall, and so many groups have an interest in keeping immigrants out of the mainstream that English-only is a nonstarter. My proposal may, then, in effect, be a no-immigrant policy. So be it. Preventing myself from becoming a stranger in my own land trumps my instinctive sympathy with Hispania's "tired" and "poor," its "wretched refuse," just as it trumps my recognition of the economic benefits of hard-working immigrants.

Guys like me have to realize that we aren't the ones adversely affected by immigration. We do not have children in schools whose limited resources are absorbed by kids who don't speak English. We do not use the overcrowded emergency rooms of hospitals as our major health-care providers. We do not make a living mowing lawns or digging trenches. We do not live on border-state ranches that are trashed and looted by passing illegals. But many Americans do.

And yet, and yet . . . America has to stand for something. I still get a warm glow when I see the Statue of Liberty, or listen to a New York cab driver complain of the high cost of his kids' college education. I still recoil when rereading the history of countries that returned Jewish refugees to the arms of Germany's Nazis, or the tale of the illegal immigrants who flooded into what has become Israel.

So let's make a realistic effort to solve this problem—imperfectly, of course, but sufficiently to allow us to keep lit the lamp that extends a "world-wide welcome" to those who want to become one of us, legally, in every sense of those words.

Irwin M. Stelzer

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What Does This Stand For?

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Cartoon Goes South?

Duncan Currie justifies a *South Park* episode that shows Jesus defecating on the president and the American flag on the grounds that South Park creators Matt Stone and Trey Parker were angry at Comedy Central for not airing a depiction of Muhammad ("The Cartoon Wars Are Over," May 1). Such logic and ethics are revealing.

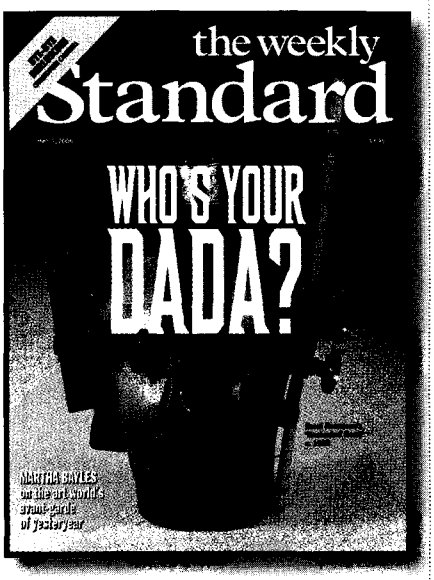
The editors of the *Insurgent*, a left-wing newspaper at the University of Oregon, recently employed similar logic. A conservative student newspaper, *Commentary*, published the Danish cartoons of Muhammad so as to "provoke dialogue," so the *Insurgent* decided to "provoke dialogue" by printing an entire issue attacking Christianity, especially Catholicism. They even went so far as to put on the cover a cartoon of a naked Jesus on the cross with an erection and another that showed a naked Jesus kissing another naked man, both sporting erections. Although it is entirely legitimate to highlight hypocrisy over the Danish cartoons, attempts to do so by gratuitously trashing Christianity, as Stone, Parker, and the student newspaper editors do, are plainly unjustified.

William A. Donohue
President, Catholic League for Religious and Civil Rights
New York, N.Y.

Judicial Amigos

As one who helped coordinate the amicus filings in *Hamdan* v. *Rumsfeld*, I disagree with Daveed Gartenstein-Ross's characterization of the amicus brief filed by current and former members of the U.K. and E.U. Parliaments as an attempt by "foreign politicians" to "pressure" the Supreme Court to decide the case on the basis of "international opinion." ("Not So Friendly Amici," April 24.)

In reality, the parliamentarians argue that President Bush, who is prosecuting Hamdan and others held at Guantanamo for alleged violations of international law, should be required to abide by international law in prosecuting them. Anyone wary of international law should be especially wary of military tribunals, which are creatures of international law. The military tribunal cases on which the government relies in *Hamdan* themselves invoke a wealth of foreign authority to justify particular charges as triable by military tribunal.



The ultimate principle that the parliamentarians champion is not that international law should control U.S. law, but that federal courts should construe U.S. law, insofar as possible, in a manner consistent with the law of nations. Chief Justice John Marshall announced this principle over 200 years ago in the Charming Betsy canon, and the Supreme Court has reaffirmed it as recently as 2004.

Amicus briefs making similar points were filed by eminent professors of international and human rights law at top U.S. law schools, by Madeleine Albright and other former senior U.S. diplomats, and by a distinguished group of retired U.S. generals and admirals (I filed the brief on their behalf). In a case of such far-reaching significance as *Hamdan*, the Supreme Court depends on amicus briefs to apprise it of every relevant aspect of the case. The parliamentarians' amicus brief performs such a vital role here.

David H. Remes
Washington, D.C.

Daveed Gartenstein-Ross responds: The brief clearly holds that international opinion should factor heavily in the Supreme Court's determination, yet it fails to cite any law that is binding on the United States. Instead, it relies on treaties that the United States didn't ratify, which, under accepted international law principles, makes them inapplicable. While David Remes contends that federal courts should, where possible, interpret U.S. law "in a manner consistent with the law of nations," it has been recognized since the *Paquete Habana* case (1900) that the "law of nations" has no force in the face of a "controlling Executive . . . decision." The brief is thus part of a broader trend where the High Court is increasingly asked to bend to foreign laws.

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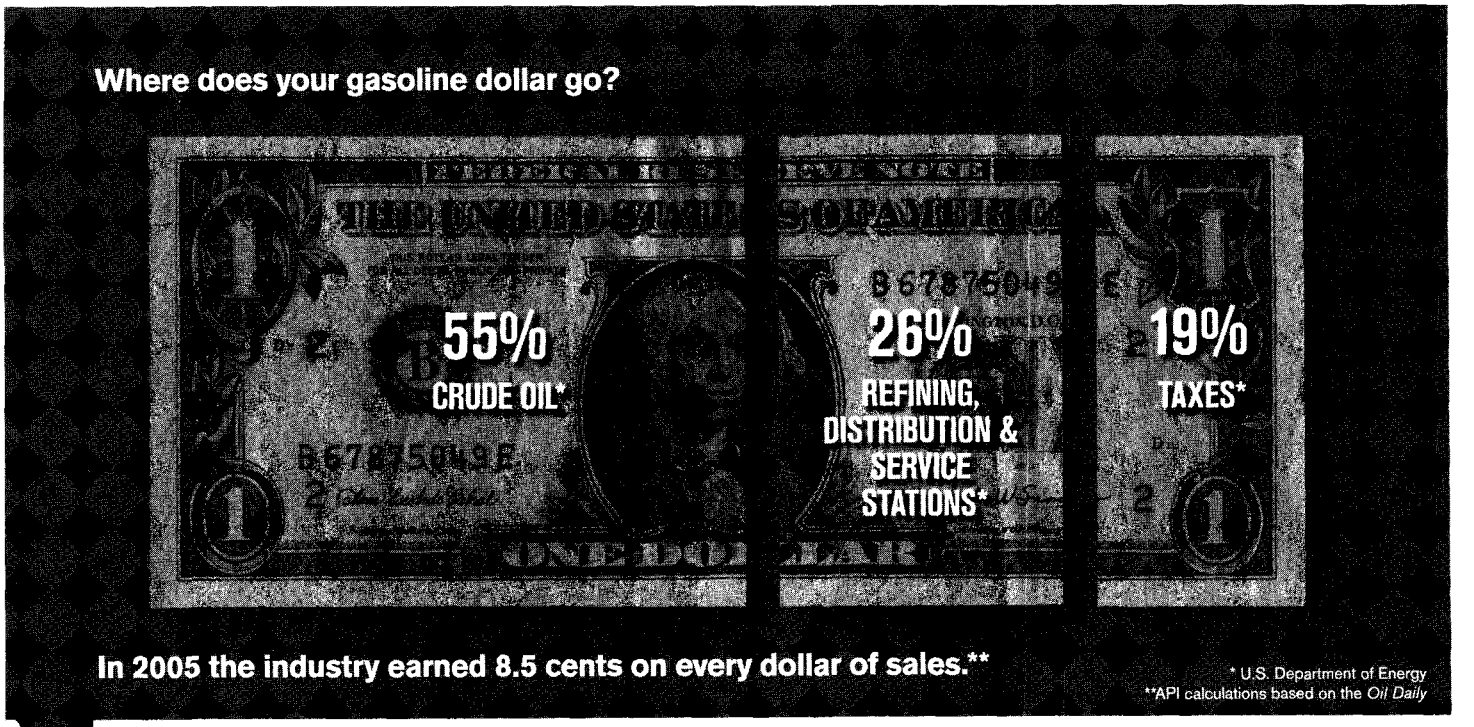

Many Americans are concerned about the cost of fuel at the pump, and they naturally ask, "what accounts for the price I pay?"

While there are several components in the retail price of fuel, a single element is by far the most important: crude oil prices. According to a June 2005 report by the Federal Trade Commission, "the world price of crude oil is the most important factor in the price of gasoline."

Rising global demand and political tensions have driven the price of crude oil up, and it now accounts for more than half the price of a gallon of gas.

What else figures in the price at the pump? The cost to refine, distribute and market at local service stations – as well as taxes. The seasonal change to summertime fuel is more challenging this spring due to ethanol-blended gasoline being introduced for the first time in several major markets.

As in any marketplace, fuel prices will fluctuate with supply and demand – and today demand is chasing an increasingly tight supply.

The price at the pump

In fact, the U.S. Department of Energy now forecasts higher prices this summer than last because of a tight world crude oil market and the introduction of new U.S. fuel specifications.

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the weekly Standard

The Agency Problem

Late Friday morning, May 5, the White House called the chairmen of the House and Senate intelligence committees with urgent news: CIA director Porter Goss would announce his resignation at the White House in a few hours. The news came as a surprise. Although insiders knew that Goss was increasingly at odds with Director of National Intelligence John Negroponte, there were few indications this would lead to Goss's departure just a year and a half into his tenure.

Perhaps Goss left mostly for personal reasons: He had said the job was a draining one. Perhaps he left because he lost a turf war to Negroponte: Goss recently told close associates that he was frustrated with Negroponte's micromanaging. In particular, he objected to Negroponte's plan to move intelligence analysts from the CIA to Negroponte's bailiwick, the DNI. Goss wanted to bring CIA operatives and analysts closer together, including dispatching formerly desk-bound analysts to the field in order to provide them a better sense of the collection process. Negroponte instead planned to move significant analytical resources to the DNI, out of the CIA and further from the field, a plan that led some at the CIA to argue that Negroponte was trying to dismantle the agency out from under Goss.

We're inclined to side with Goss in this dispute. But we are concerned that Goss left, or was eased out, for reasons of greater policy significance. And if this is the case, Goss's leaving is not a good sign. Goss is a political conservative and an institutional reformer. He is pro-Bush Doctrine and pro-shaking-up-the-CIA.

John Negroponte, so far as we can tell, shares none of these sympathies. Negroponte is therefore more in tune with large swaths of the intelligence community and the State Department. If Negroponte forced Goss out and is allowed to pick Goss's successor—if Goss isn't replaced with a reformer committed to fighting and winning the war on terror, broadly and rightly understood—then Goss's departure will prove to have been a weakening moment in an administration increasingly susceptible to moments of weakness.

We hope the president will select a new CIA director who is willing—eager, even—to challenge CIA careerists, and who will continue the reforms of that dysfunctional bureaucracy that started under Goss. We hope the new director will be an independent thinker, someone who is not cowed by criticism from a vocal (and highly partisan) crew of recently retired intelligence officials, or worried by complaints from the *New York Times* editorial board, or influenced by sniffing from State Department bureaucrats.

In short, this person should retain a measure of independence from the man he'll report to, John Negroponte. In his brief tenure as director of national intelligence, Negroponte has shown himself awfully accommodating of the intelligence establishment. For example, when that establishment fought efforts by this magazine and others to release documents captured in postwar Iraq, Negroponte fought alongside it. When calls for openness came from the chairmen of congressional intelligence committees, he sided with the bureaucracy. Only when President Bush made clear his desire to see those documents released to the world did Negroponte acquiesce.

Negroponte fought the release for two reasons. First, he wanted to protect the intelligence community bureaucracy that had collectively dropped the ball on exploiting and utilizing the valuable information in the documents. Three years after the beginning of the Iraq war, less than 5 percent of the documents captured in postwar Iraq had been fully translated and analyzed. That is an embarrassment. It is instructive that Negroponte spent more time explaining away that reality than changing it.

Second, Negroponte argued repeatedly in internal discussions that he was concerned that the release of some documents would embarrass erstwhile allies who had been in bed with Saddam Hussein. This is not a frivolous concern. Relations with allies have a direct bearing on the cooperation we receive going forward from liaison intelligence services. But neither is it the sole concern. Negroponte gave an awful lot of weight to this argument, and almost none to the fact that there was, and is, a massive assault underway, at home and abroad, against the Bush administration's probity in going to war against Saddam Hussein—and that releasing these documents could bear importantly on this debate.

The CIA is broken. It has been for years. There is too much anti-Bush leaking and not enough creative thinking. There are too many bureaucrats and not enough risk-takers. Goss tried to reform the agency and to enlist it in the good fight on behalf of the nation's foreign policy. Will his successor?

—*The Editors*

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Jean-François Revel, 1924-2006

France's defender of freedom.

BY STEPHEN SCHWARTZ

JEAN-FRANÇOIS REVEL, who died at 82 on April 30, was a rarity in the landscape of leftist intellectuals turned conservative. Revel became the first French neoconservative not over policy matters, but as a defender of intellectual nonconformity and of a radical vision of personal freedom.

I began following his work early on, and his open break with the left at the end of the 1960s was as stunning as that of the Mexican poet and Nobel laureate in literature Octavio Paz. Both men saw a direct progression from dissent within the left to denunciation of a left that believed it could survive without internal controversy and thus without accounting for the crimes committed in the name of socialism and liberation. In American terms, Revel more resembled the art critic Hilton Kramer than the journalist Whittaker Chambers. High modernism in culture, based on experiment and protest, was more important to him than the renewal of the political, religious, or social values of the past. But because liberty was paramount, he became a fierce anti-totalitarian.

In the full flight of '60s rebellion, I first saw Revel's name on a set of pamphlets he edited in Paris with the ever-green title *Libertés* ("Freedoms"). I remember one afternoon in 1968, when I sat in the attic at the headquarters of the Beat Generation, the City Lights Book Shop in San Francisco, where the latest shipment of little books from France had just shown up. The series, bound in brown wrapping paper and including polemics by the French surrealists André Breton and Benjamin Péret, caught my attention. The text by Breton, under the title *Flagrante Delicto,* blasted an alleged forgery of a poem by Rimbaud. Péret's work was a devastating attack on the French surrealists who turned into Stalinists, in a confrontational idiom that remains shocking today, since the writers Péret castigated—like the versifier Paul Éluard—have become icons of world poetry.

SIPA / Souloy

Revel possessed impressive credentials as a cultural revolutionary. He was among the most outspoken critics of Charles de Gaulle's semi-monarchical rule, beginning in 1958, and his name was included, alongside those of Breton and other surrealists, among the signers of a document still famous in France, the 1960 "Declaration of the 121 on the Right of Disobedience in the Algerian War." Written by the literary philosopher Maurice Blanchot and the cultural critic Claude Lanzmann, who became famous for his nine-and-a-half-hour documentary film on the Holocaust, *Shoah,* the declaration was also signed by Sartre, Simone de Beauvoir, the actress Simone Signoret, and a few other stars of the same magnitude. The "Declaration of the 121" was the last time the radical modernists, whose trajectory had begun in the 1920s, would play a leading role in French political life. But for Revel, it was an early step in a new journey.

I discovered, all those years ago, that two of Revel's books had come out in English—both of them wise and acidulous, both forgotten today. One, given the innocuous title *The French* when it was printed here in 1966, was a scarifying examination of political spinelessness in the face of Gaullism. An earlier and even more obscure work, *As for Italy,* had appeared in English in 1959 and was brutal in its demolition of the cultural and spiritual pretensions of the heirs to the Roman legacy.

Stephen Schwartz is a frequent contributor to THE WEEKLY STANDARD.

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But all changed completely in 1970, when Revel published *Without Marx or Jesus*, a tribute to "the new American revolution" that shocked his old comrades of the radical left. *Without Marx or Jesus* made Revel internationally famous, not least in the United States, and I met him on his book tour, when he spoke at a community college in San Francisco. Truth to tell, finding anything attractive about America made him too disturbing to be heard at the University of California at Berkeley or San Francisco State University, those centers of revived Stalinism. He seemed not to know the difference, and was pleased to have had the opportunity to see the West Coast.

His next incendiary device was a book called *The Totalitarian Temptation*, issued in French in 1976 and in English the year afterward. Therein he indicted the generation that produced the New Left. This new work was less provocative but was simply and grimly cautionary. He followed that seven years later with *How Democracies Perish*, in which he described democracy as

> the first system in history which, confronted by a power that wants to destroy it, accuses itself. . . .
>
> The distinctive mark of our century is the humility with which democratic civilization agrees to disappear and works to legitimize the victory of its mortal enemy. That communism shall have been more clever and effective in its offensive would only be one additional example of one power being a better strategist than the other. . . . It is less natural and newer that the targeted civilization should not only judge that its defeat is justified, but provide its partisans as well as its adversaries with ample reason to regard all forms of self-defense as immoral, or at best superfluous and useless, if not downright dangerous.

These eloquent phrases were written toward the end of a Cold War to whose successful resolution Revel contributed so much, but which also proved that some enemies of democracy would perish before democracy itself. They are still appropriate in today's struggle against Islamofascism.

I remember with great appreciation my discovery of Revel's work, and my encounter with him, and the necessary moral challenge embodied in *The Totalitarian Temptation*. I fear we shall see few or no more men like him, who were worthy to compare themselves with Orwell but would never do so, out of modesty. Already the idea that there was once a left that put truth before political expediency, and democracy before the incitement of the mob, seems a legend as distant as the early victories of Napoleon, if not an impossibility, like the alchemical production of gold.

The left never again attracted people with the talents of a Revel, and few among the neoconservatives with which he was identified, either in France or on our shores, could match him in passion and eloquence. When fresh, more objective histories of the 20th century are written, free of the burden of political correctness, I believe the line of conduct followed in France by individuals like Revel, who remained wary of political power even as they attained great influence, will be seen as the standard against which all others should be judged.

Aside from the grim realities he forced us to confront, Jean-François Revel remained a man, above all, of humor and protest. He never confused democratic ideals with the crude violence of leftist propaganda. We who follow on his path will be lucky if any of us can, finally, be compared to him. A kind of entropy has taken over the world of the mind; colors have faded into gray, passion and commitment have vanished, and few have the stomach for great battles over principle. Or so we are now told.

Revel was a lifelong enemy of this new spiritual ice age. Another thaw will come, and the majority of men and women will again believe with all their hearts in freedom; but when, we cannot tell. I hope then that the courage and greatness of Jean-François Revel will not have been forgotten. ♦

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You Can't Always Get What You Want

George W. Bush, politician. BY FRED BARNES

PRESIDENT BUSH is a conservative politician, not a conservative ideologue. This explains why Bush sometimes does things that aren't conservative. He does so to survive and, if all goes well, to prosper politically. Or he does so because he actually favors some nonconservative policy or position. Conservative politicians are never ideologically pure. "The president works at 1600 Pennsylvania Avenue, not 214 Massachusetts Avenue N.E.," a Bush administration official says. The Massachusetts Avenue location is the site of the Heritage Foundation, the conservative think tank.

President Reagan, like Bush, was a politician first and an ideologue second. When Social Security was on the verge of insolvency in 1983, he had to act quickly. But he didn't call for benefit cuts or privatization, the conservative positions. That was not politically feasible. He agreed to a tax hike and a modest increase in the age of eligibility. And the issue went away, leaving him politically undamaged and able to pursue his conservative goals, like winning the Cold War.

Calling for a probe of oil companies for possible manipulation of gas prices is Bush's latest nonconservative position. With prices soaring, he was losing ground politically. The public and the politicians, Republican and Democrat alike, were attacking the oil companies—and Bush as well. His job approval rating dipped into the low 30s, the worst of his presidency.

He could have said, no, the free market is working properly. That, while basically true, would no doubt have further injured his political standing. Instead, he moved to take control of the issue and protect himself politically. Two days later, the president conceded he had "no evidence that there's any ripoff taking place." Of course he hadn't. That wasn't the point of his intervention.

His divergence from conservative orthodoxy was probably harmless. "I don't think there's any problem in looking into the possibility of price gouging," the administration official says. "If it doesn't exist—and the odds are quite strong it doesn't—nothing will be lost." In fact, the president gained politically. His approval rating in the Fox News poll rose from 33 percent to 38 percent.

Neither Bush nor White House officials have suggested, publicly at least, that there's a paradox involved in taking nonconservative positions on issues such as gas prices. But it's true that this may shore up the president's popularity and enhance his ability to pursue conservative issues like the war on terror, Iraq, and tax cuts.

Besides political expediency, conservative politicians sometimes stray because they've become enamored of a nonconservative position for policy or political reasons, or both. Reagan wanted to eliminate all nuclear weapons in the world, despite their deterrent value. He insisted on picking a woman, moderate Sandra Day O'Connor, as his first Supreme Court nominee. He met repeatedly with Soviet leader Mikhail Gorbachev. Conservatives fumed.

Bush's chief apostasy is on the Medicare prescription drug benefit, the first new entitlement in decades. Rather than aiding only needy seniors—perhaps a quarter of the over-65 population—he championed a far more expensive universal benefit. Bush touted it in the 2000 campaign and pushed it aggressively in Congress. It was enacted in December 2003 and implemented this year.

Many conservatives, maybe most of them, opposed the drug benefit. So did Democrats and liberals. And it appeared that the new program might not become the political bonanza that the White House and Republicans had hoped it would be. Month after month, polls found it to be unpopular.

Not anymore. Now that 30 million of the country's 43 million eligible seniors have signed up, the drug benefit has become popular. Ninety percent in a poll by the Tarrance Group say they understand the plan and how to use it. While enrolling may have been difficult and time-consuming, 65 percent say it was worth it. Plus, the monthly fee and the cost of the entire program has turned out to be less expensive than had been projected.

"What ranks among the single best issues Bill Clinton used to club Newt Gingrich and the Republicans in the 1990s?" a Bush adviser says. "Medicare. That issue has essentially been taken off the table since the program was created [in 1965] and over time our proposal may well make Medicare a net plus for Republicans. At a minimum, though, Republicans have been pretty much inoculated against the charges by Democrats."

So in this fall's midterm election, the drug benefit will hardly be an albatross. Republicans will have a positive achievement to brag about. If it helps Republicans stave off a Democratic landslide, its political value will have been confirmed.

There are two points in all this. One, conservative presidents—indeed, conservative elected officials at all levels of government—will always wander from conservative tenets. The test is whether there's a flip side, a strengthening in the fight for conservative aims. And second, even the most sainted conservatives—Reagan, for instance—harbor nonconservative thoughts. If this is an insurmountable problem for conservatives, my advice is, get over it. ♦

Fred Barnes is executive editor of THE WEEKLY STANDARD.

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Qaddafi's Good Friend at the U.N.

From bad to worse in Turtle Bay.

BY JOSHUA MURAVCHIK

SWITZERLAND'S NOMINATION of its national, Jean Ziegler, to membership on the U.N. Subcommission on the Promotion and Protection of Human Rights illustrates in a nutshell (and a nut) why there is so little hope for meaningful reform of the world body.

The subcommission should not be confused with the U.N. Commission on Human Rights, which has just held its last meeting. The commission has been abolished at the initiative of Secretary General Kofi Annan, who lamented that it had become a stain on the U.N.'s reputation. However, the subcommission, which is a body of "experts" rather than diplomats, does not go out of existence with the commission. It presumably will now be linked with the new Human Rights Council, which is slated to replace the commission as part of the overall reform plan.

Ever since the revelations of massive abuses in the U.N.'s Oil-for-Food program for Iraq, "reform" has been at the top of the U.N.'s agenda. And little wonder given that the Volcker Commission, appointed by Kofi Annan to investigate the scandal, found that more than one undersecretary general and Annan's own son were among the program's illicit beneficiaries.

The deeper corruption of the U.N., however, does not consist of acts of individual venality, but of the betrayal of the principles proclaimed in the charter. Nothing has exemplified that better than the organization's tawdry record on human rights. And no individual embodies that tawdriness more exquisitely than Ziegler.

Until now, he has served as the old commission's "special rapporteur on the right to food." A sociologist by training and a politician, Ziegler did not bring to his post any particular expertise on food or agriculture. His credentials were all in the realm of ideology. Ziegler's main idea was anti-Americanism. He was a founding editor of the journal *L'Empire*, and you don't need many guesses to know which "empire" was the subject. The United States, according to Ziegler, is an "imperialist dictatorship" that is guilty, among other atrocities, of "genocide" against the people of Cuba by means of its trade embargo.

In 1989, Ziegler was one of a group of self-described "intellectuals and progressive militants" who gathered in Tripoli to announce the launching of the annual "Muammar Qaddafi Human Rights Prize," awarded by the government of Libya. Ziegler explained that the purpose of the Qaddafi prize was to counterbalance the Nobel prize, which, he said, constituted a "perpetual humiliation to the Third World."

Winners of the Qaddafi prize have included Fidel Castro, Louis Farrakhan, and recently Venezuela's Hugo Chávez. When no individual of such luminous human rights credentials has presented himself, the award has gone to collectivities. In 1996, it went to a female member of the Cuban Communist party's central committee, a leader of a Ba'ath party women's organization in Saddam's Iraq, and a couple of other "symbols of women's struggle for freedom." In 1990, it went to the "Stone Throwing Children of Occupied Palestine" and in 1991 to the "Red Indians." In 2002, the awardees were "13 intellectual and literature personalities," of whom the most notable were the French Holocaust denier Roger Garaudy and (you guessed it) Jean Ziegler.

The naming of Ziegler did not pass unnoticed and even stirred some protests. In response to these, Ziegler announced that he would turn down the prize on the grounds that he "could not accept an award or distinction from any country because of my responsibilities at the United Nations." At least this is what he told the West. Whether he delivered the same message to Tripoli is unclear, since the Libyan government still lists him as having been one of the 2002 recipients.

As for his work on the issue of food, the nongovernmental organization U.N. Watch has monitored Ziegler's record as special rapporteur. It reports that Ziegler denounced the United States on such "food" issues as the embargo of Cuba on 34 occasions, but "never spoke out for the hungry or criticized any party in 15 of 17 countries deemed by the U.N. Food and Agriculture Organization to have a man-made food emergency." Like all passionate haters of America, Ziegler also loathes Israel, which he has denounced on dozens of occasions, likening the Gaza strip under Israeli rule to an "immense concentration camp" and demanding suspension of the European Union's trade agreement with Israel.

More's the pity because encouraging and channeling aid to desperately poor people is one of the few areas in which the U.N. has done valuable work. Had Ziegler's post been filled by someone who genuinely cared for starving people, rather an obsessive

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Joshua Muravchik, a resident scholar at the American Enterprise Institute, is the author of The Future of the United Nations: Understanding the Past to Chart a Way Forward *(AEI Press).*

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ideologue, that person might have been able to do some good.

The fact that Ziegler served not one but two terms in his U.N. position illustrates why the U.N. is so impervious to reform. Ziegler was first chosen in 2000 for three years. Conceivably, the member states who voted to approve him knew little of his record. But, three years later, he had given ample demonstration that he intended to use the position to attack America and Israel, while largely ignoring the world's hungry. Accordingly, the United States opposed his nomination for a second term. Australia abstained, while the other 51 members of the Commission on Human Rights, including Canada, the United Kingdom, France, and Germany, voted for him.

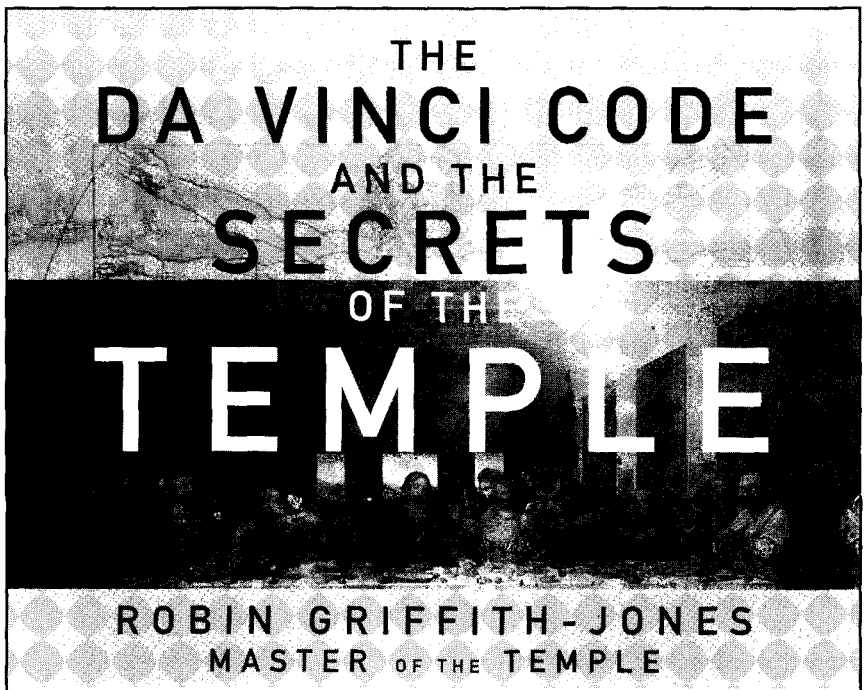
It is no longer true, as it was during most of the U.N.'s history, that the majority of its member states are dictatorships. But sadly, the record shows that, except for the United States, the democracies are rarely willing to stand on principle against the leftist/Third World-ist ideology that dominates the body.

After decades of absurdities and outrages, such as the selection of the government of Ziegler's ally, Muammar Qaddafi, as chairman of the Commission on Human Rights, the U.N. leadership confessed that the commission had become an embarrassment. At the U.N. summit this past fall, member states agreed to start over by replacing the commission with the new Human Rights Council.

The format of that body was negotiated over the following six months. The United States (and Kofi Annan) backed several proposals designed to make it less likely that the council would be as subservient to brutal dictatorships as the commission had been. One proposal was to make it much smaller. Another was to require that states be chosen for seats on the council by a two-thirds vote. The idea behind both was that they would make it harder for egregious rights abusers to get elected.

The latter proposal was defeated, and the former nearly so: The council will consist of 47 members, down only slightly from 53 for the commission. In a last desperate stab at establishing some minimal standard for membership on the council, Washington proposed that member states currently under sanction by the Security Council for human rights abuses or terrorism be considered ineligible for membership. At most this would have disqualified a handful of states, but even this lilliputian barrier was deemed too high.

The council, in short, will be the commission all over again. Apparently it will inherit the subcommission and with it, almost surely, Jean Ziegler, who is at this time one of only three nominees for the three seats apportioned to the Western group. This hero of Qaddafi's is a symbol—both ridiculous and painful—of an organization that rarely fails to disappoint. ♦



The Da Vinci Code by Dan Brown continues to fascinate both conspiracy theorists and regular readers the world over. Author Robin Griffith-Jones, the Master of the Temple, lives at the hub of this excitement.

As Master of the Temple Church in London, one of the main sites of the book and the historic spiritual home of the Knights Templar, Robin Griffith-Jones has given hundreds of talks to the throngs of tourists following the "Da Vinci trail." In this book he discusses Brown's understanding of history and Christianity, exploring how much of his version is true, how much is plausible, and how much is fanciful.

A literate insider's introduction, "*The Da Vinci Code*" *and the Secrets of the Temple* is perfect for anyone looking to unlock the ancient secrets of Dan Brown's runaway best-seller.

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The Ugly Canadian

The governor-general's spouse produces an amazingly anti-American film. **BY ARNOLD BEICHMAN**

Vancouver

LET US SUPPOSE the White House appointee as U.S. ambassador to Canada were an American diplomat whose spouse, a film producer, had just completed an exposé documentary with this brutal theme: a Canadian government conspiracy supporting Osama bin Laden-style terrorism against the American people. Inconceivable? Yes, for the United States. Not so for Canada, however, or at least for Canada's Liberal party and its leader Paul Martin, now out of power.

Canada's minority government is in the shaky hands of the Conservative party for the moment, and at least its leader and prime minister, Stephen Harper, respects his democratic neighbor to the south, which is more than can be said for Martin, as fanatical in his hatred of the United States as was his late predecessor Pierre Trudeau.

In fulfilling his role as Canada's America-hater Number One, Martin, when he was still prime minister last fall, appointed Michaëlle Jean, a Canadian Broadcasting Corporation television host of Haitian origin, to be the governor general. Technically, Britain's Queen Elizabeth appointed Jean, as the governor general is the vice-regent, the queen's representative in Canada. But the queen names whoever is recommended to her by the Canadian prime minister, and Jean will serve for the next five years.

It is Jean's leftist husband, Jean-Daniel Lafond, a film producer, who has set off an uproar in Canada. First, because he is a Quebec separatist who favors breaking up Canada. And second, because his anti-Americanism is so vicious it is unlikely he could ever be invited to the White House, despite his being consort of the governor general. All this was known, of course, to those who dreamed up Madame Jean's appointment by then Prime Minister Martin.

Michaëlle Jean

Reuters Photo Archive

Lafond's latest project, according to a report in the Toronto-based *National Post*, is a documentary that has just debuted at a Toronto film festival called *American Fugitive: The Truth About Hassan*. The "Hassan" in question is an American man, born David Belfield, who converted to Islam while at Howard University, and in July 1980 murdered Ali Akbar Tabatabai, a spokesman for the exiled shah of Iran, in Bethesda, Md. He fled to Tehran, where he lives now, still wanted for the murder in the Washington suburbs.

The article about Lafond's project is headlined: "Paul Martin's hand-picked conspiracy theorist." John Geiger, *National Post* editorials editor, describes Lafond's film in these words:

> It provides a podium to a confessed assassin and Islamist thug living in Iran to rant about "American state terrorism" and to claim "George Bush is killing people every day"—and it is premiering at a time when Canadian soldiers are fighting Islamist militants in Afghanistan and Iran's president is threatening to wipe Israel off the map.

The film, says Geiger, also gives "credence to outrageous conspiracy theories purporting to involve the U.S. government" coming from the governor-general's husband. Geiger writes:

> It's like U.S. First Lady Laura Bush making a film suggesting that Pierre Trudeau was involved with Fidel Castro and the Chicago mob in the assassination of JFK.

Lafond's film, produced last year, highlights, says Geiger, "a long-discredited claim that campaign aides of Ronald Reagan and George Bush Sr. made a secret deal to delay the release of the American hostages in Tehran until after the 1980 presidential election in order to facilitate the defeat of Jimmy Carter."

There is a significant sector of elite opinion in Canada, in the intellectual and academic worlds, and in the civil service bureaucracy concentrated in Ontario, that regards the United States as Canada's main enemy. This was so even in the days when Soviet imperialism was in the ascendant. The rise to prominence of Michaëlle Jean and her husband is a new high-water mark for this crowd. Whether Prime Minister Harper can effectuate a turnaround is yet to be seen. ♦

Arnold Beichman is a research fellow at the Hoover Institution, Stanford University.

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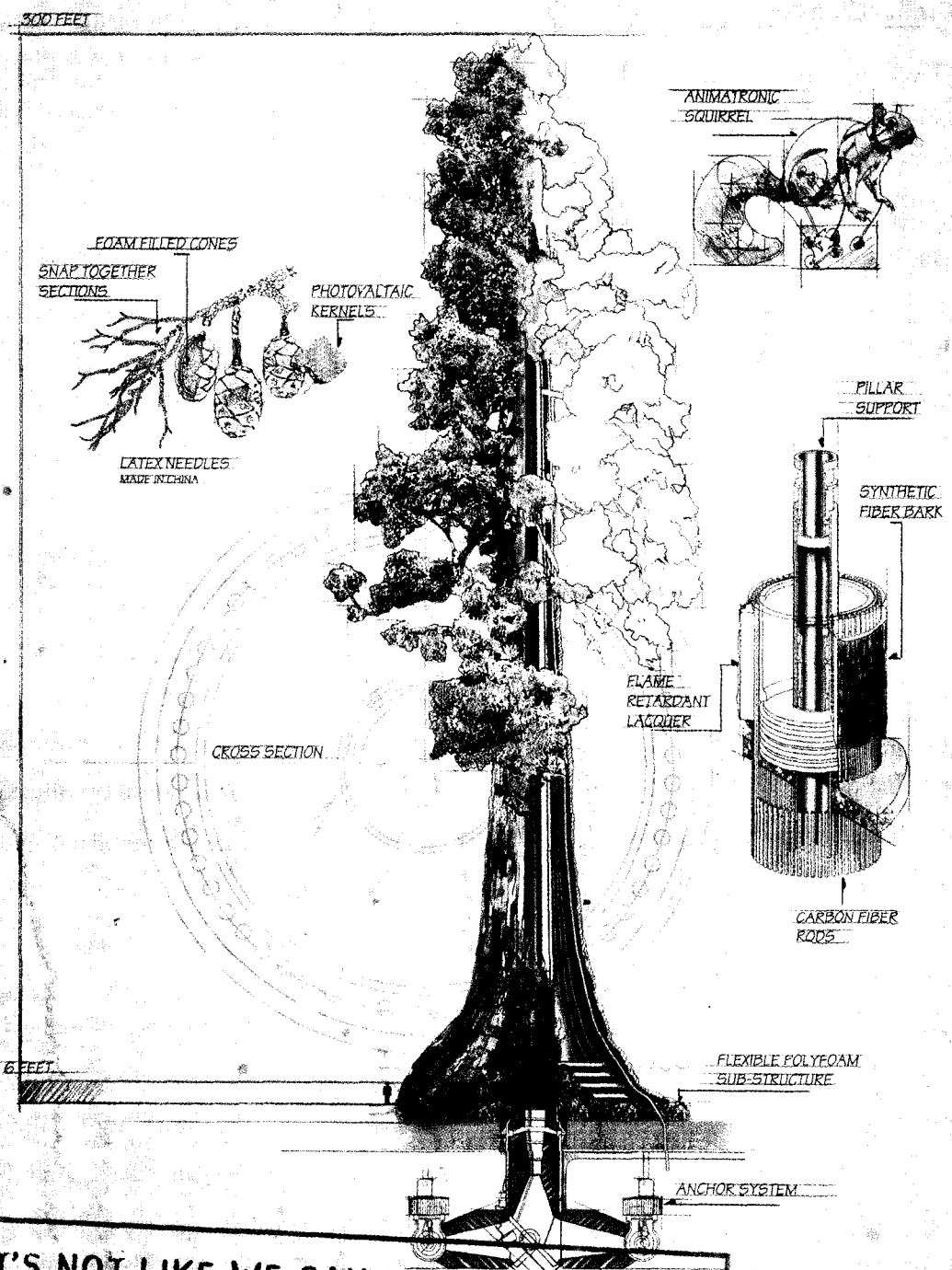

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Le Watergate Français

What did Villepin know, and when did he know it?

BY OLIVIER GUITTA

Paris

A MAJOR POLITICAL SCANDAL unfolding in France has been mostly ignored by the world press. It involves, among others, a president, a prime minister, a minister of defense, a minister of the interior, a top spy, and a business executive. Every day brings some new twist.

It all started with a book published in February 2001. *Révélation$* was written by the whistleblowing banker Ernest Backes and the investigative reporter Denis Robert. It details an alleged money-laundering system put in place by the Luxembourg-based financial clearinghouse Clearstream.

Then in November 2003, General Philippe Rondot, a former leader of the DGSE (equivalent to the CIA) and a Ministry of Defense civil servant, obtained the names of several French public figures who had accounts with Clearstream. Rondot said that the list had been given to him by Jean-Louis Gergorin, vice chairman of the European Aeronautic Defence and Space Company (EADS), the holding company of the aircraft manufacturer Airbus, and a close friend of then Foreign Minister Dominique de Villepin.

To obtain the list, Gergorin, in turn, had used the services of Imad Lahoud, a shady Lebanese banker and computer engineer who is related to the embattled Lebanese president. In March 2004, Lahoud was arrested by French police on one of several charges outstanding against him. On his person, the police found a letter written by Gergorin stating that Lahoud was working on a special counterterrorism project under the cover of being an EADS employee.

When Rondot found out that the letter named him as Lahoud's main contact, he was furious, and called Gergorin, who could only apologize. A few minutes after that phone conversation, Villepin called Rondot and ordered him to free Lahoud. Already skeptical about the case, Rondot decided to look into it further. He quickly concluded that the list was bogus, and so informed the defense minister. But the story did not end there.

Instead, in mid-2004, a French judge in charge of a major corruption case received an anonymous letter and a CD-Rom containing another list of people who had supposedly opened accounts with Clearstream. Those incriminated included top French politicians like Dominique Strauss-Kahn, Alain Madelin, and, most important, Villepin's archrival Nicolas Sarkozy, who is now interior minister. After investigating, the judge concluded in the fall of 2004 that the whole story was a well-orchestrated fraud.

Since then the judge has been digging to find out who was behind it. This spring, he had Gergorin's office and apartment searched, along with Rondot's, the DGSE headquarters, and even the Ministry of Defense.

But the real bombshell came on April 28, when *Le Monde* published snippets of Rondot's testimony before the judge last month. Rondot testified that as early as January 2004, during a meeting at the Quai d'Orsay attended by Gergorin, Foreign Minister Villepin had asked him, on Chirac's orders, to investigate potential corruption by politicians including Sarkozy. This, at a time when Villepin allegedly knew that the fake list of Clearstream accounts was the work of his friend Gergorin. Villepin also asked Rondot not to inform the defense minister, Michèle Alliot-Marie, whose husband is friendly with Sarkozy.

Rondot also admitted that he lied in June 2005 when he wrote in a note to his boss, the defense minister, that he had never investigated Sarkozy. He explained the lie by saying he had wanted to protect himself and his boss from potentially being accused of framing Sarkozy.

Then on May 3, while Villepin was protesting his innocence, *Le Monde* posted on its website a 26-page document: the Rondot file almost in its entirety. Rondot's notes after the January meeting are damning:

> Instructions from the president of the Republic, whom Dominique de Villepin had briefed:
> —direct dealing with the president, caution top secret
> —keep an eye on political maneuvering

Then, regarding Sarkozy, Rondot wrote:

> The political stakes: Nicolas Sarkozy. Fixation on Nicolas Sarkozy, reference Chirac-Sarkozy conflict.
> Role of the Americans: support given to Nicolas Sarkozy.

Finally, summing up his impressions, Rondot wrote:

> Persistent doubt. Nice intellectual scheme concocted by Jean-Louis Gergorin and involving Dominique de Villepin: conspiracy theory?

Rondot's testimony is the smoking gun that confirms what most people suspected: Villepin's involvement in the framing of Sarkozy. Sarkozy had many times implied he knew all along who was behind the plot to defame him.

The first sign of Villepin's possible hand in the business had appeared as far back as July 2004, when *Le Point*, headed by Villepin confidant Franz-Olivier Giesbert, published the Clearstream list. Since then Giesbert and

Olivier Guitta is a foreign affairs consultant based in Washington.

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Villepin have parted ways, mostly because the media mogul did not appreciate being used.

In his recent bestseller *La tragédie du Président*, Giesbert writes, with reference to the Clearstream affair, that Villepin is determined to finish off Sarkozy, with or without Chirac's approval. Nonetheless, after the *Le Point* story, speaking about Sarkozy, Villepin exulted to then Prime Minister Jean-Pierre Raffarin: "That's it! We got him!" Giesbert also writes that Villepin told him around the same time, "Sarkozy is finished."

Sarkozy's main reason for returning to government in 2005 was to succeed Villepin at the Interior Ministry in order to investigate who had framed him. Last summer, according to Giesbert, Sarkozy swore to Chirac that he would find his detractor and see that he ended up "on a butcher's hook." Sarkozy fired some individuals he suspected of being Villepin's accomplices. One of them, Gérard Dubois, a high-ranking officer in the police, started spreading rumors about Sarkozy's private life.

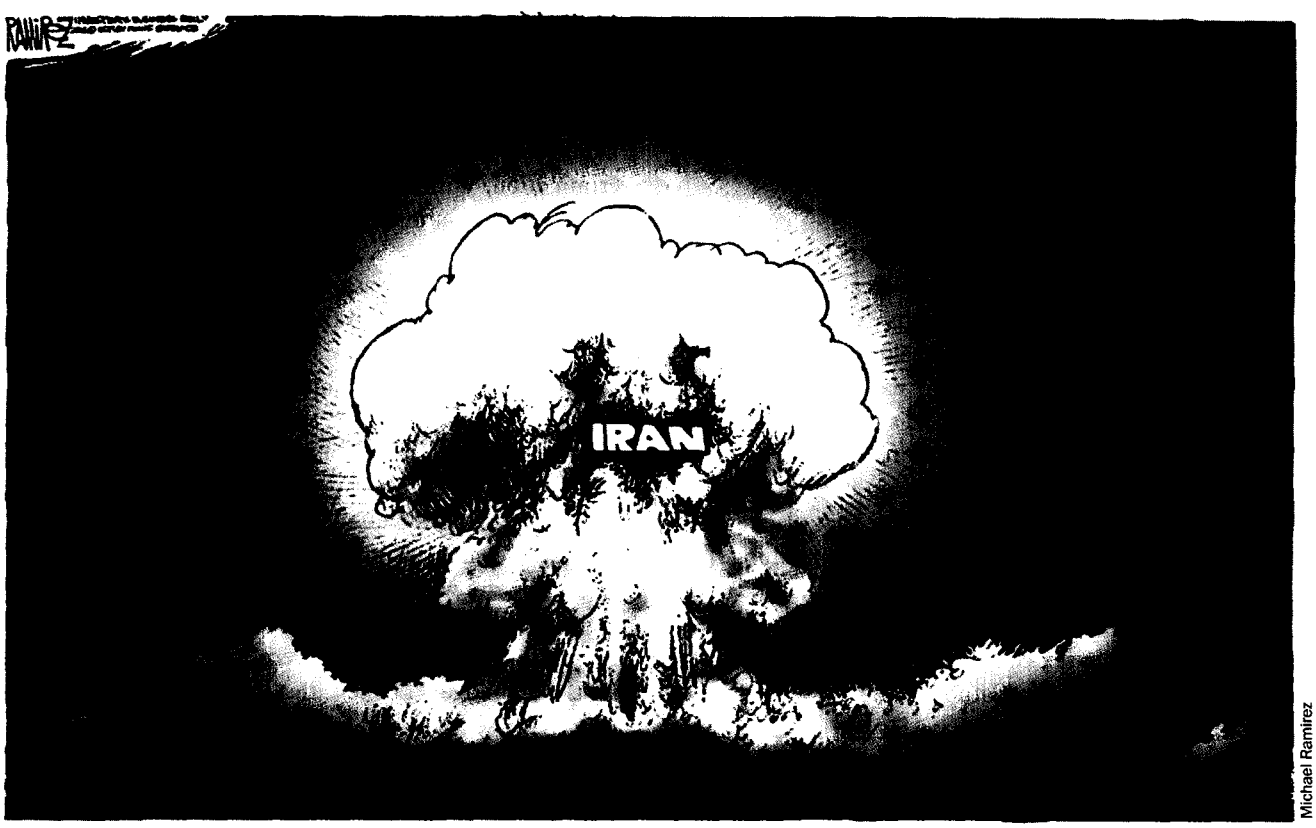
As reported in a recent book about Villepin entitled *L'homme qui s'aimait trop* (the man who loved himself too much) by journalists Yves Derai and Aymeric Mantoux, Dubois, after he was fired, had a heated exchange with Villepin in which he blamed the prime minister for not standing up for him. Dubois reminded Villepin of all the work he had done in connection with leaking Sarkozy's wife's infidelities. Villepin had gloated publicly that "a guy who cannot keep his wife, cannot keep France."

Villepin's lies are catching up with him: On Tuesday, May 2, he categorically asserted that Sarkozy's name had not been mentioned at the infamous January meeting. On Thursday, he changed his story, stating that Sarkozy had been mentioned only in his capacity as minister of the interior. By Friday, calls were heard for Villepin's resignation.

Why would Villepin as foreign minister have taken the lead in a case that really did not concern his ministry? Why indeed, except that it involved a close friend and conveniently incriminated not only Sarkozy but also most of the potential candidates who might run against Villepin in next year's presidential election?

To summarize, then: A prime minister known for skullduggery asked, allegedly on the orders of the president, a top-notch intelligence official to investigate his chief enemy—a man of his own party and a fellow minister—in connection with allegations he knew to be false, for the purpose of eliminating his principal rival for the 2007 presidential election.

This blatant misuse of state power by the highest officials to pursue a personal vendetta reveals how dysfunctional the French political system has become. Increasingly, the regime itself is attacked as virtually a monarchy, so great are the president's powers. Coming in the wake of the November riots in immigrant communities and this spring's demonstrations by students, leftists, and unionists that forced Villepin to abort his labor reform, the Clearstream scandal has the Villepin government, and perhaps even the Fifth Republic, reeling. ◆



Michael Ramirez

AN OUNCE OF PREVENTION IS WORTH A KILOTON OF CURE

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Banned in Boston

The coming conflict between same-sex marriage and religious liberty

By Maggie Gallagher

Catholic Charities of Boston made the announcement on March 10: It was getting out of the adoption business. "We have encountered a dilemma we cannot resolve. . . . The issue is adoption to same-sex couples."

It was shocking news. Catholic Charities of Boston, one of the nation's oldest adoption agencies, had long specialized in finding good homes for hard to place kids. "Catholic Charities was always at the top of the list," Paula Wisnewski, director of adoption for the Home for Little Wanderers, told the *Boston Globe*. "It's a shame because it is certainly going to mean that fewer children from foster care are going to find permanent homes." Marylou Sudders, president of the Massachusetts Society for the Prevention of Cruelty to Children, said simply, "This is a tragedy for kids."

How did this tragedy happen?

It's a complicated story. Massachusetts law prohibited "orientation discrimination" over a decade ago. Then in November 2003, the Massachusetts Supreme Judicial Court ordered gay marriage. The majority ruled that only animus against gay people could explain why anyone would want to treat opposite-sex and same-sex couples differently. That same year, partly in response to growing pressure for gay marriage and adoption both here and in Europe, a Vatican statement made clear that placing children with same-sex couples violates Catholic teaching.

Then in October 2005, the *Boston Globe* broke the news: Boston Catholic Charities *had* placed a small number of children with same-sex couples. Sean Cardinal O'Malley, who has authority over Catholic Charities of Boston, responded by stating that the agency would no longer do so.

Seven members of the Boston Catholic Charities board (about one-sixth of the membership) resigned in protest. Joe Solmonese, president of the Human Rights Campaign, which lobbies for lesbian, gay, bisexual, and transgender equal rights, issued a thundering denunciation of the Catholic hierarchy: "These bishops are putting an ugly political agenda before the needs of very vulnerable children. Every one of the nation's leading children's welfare groups agrees that a parent's sexual orientation is irrelevant to his or her ability to raise a child. What these bishops are doing is shameful, wrong, and has nothing to do whatsoever with faith."

But getting square with the church didn't end Catholic Charities' woes. To operate in Massachusetts, an adoption agency must be licensed by the state. And to get a license, an agency must pledge to obey state laws barring discrimination—including the decade-old ban on orientation discrimination. With the legalization of gay marriage in the state, discrimination against same-sex couples would be outlawed, too.

Cardinal O'Malley asked Governor Mitt Romney for a religious exemption from the ban on orientation discrimination. Governor Romney reluctantly responded that he lacked legal authority to grant one unilaterally, by executive order. So the governor and archbishop turned to the state legislature, requesting a conscience exemption that would allow Catholic Charities to continue to help kids in a manner consistent with Catholic teaching.

To date, not a single other Massachusetts political leader appears willing to consider even the narrowest religious exemption. Lieutenant Governor Kerry Healey, the Republican candidate for governor in this fall's election, refused to budge: "I believe that any institution that wants to provide services that are regulated by the state has to abide by the laws of the state," Healey told the *Boston Globe* on March 2, "and our antidiscrimination laws are some of our most important."

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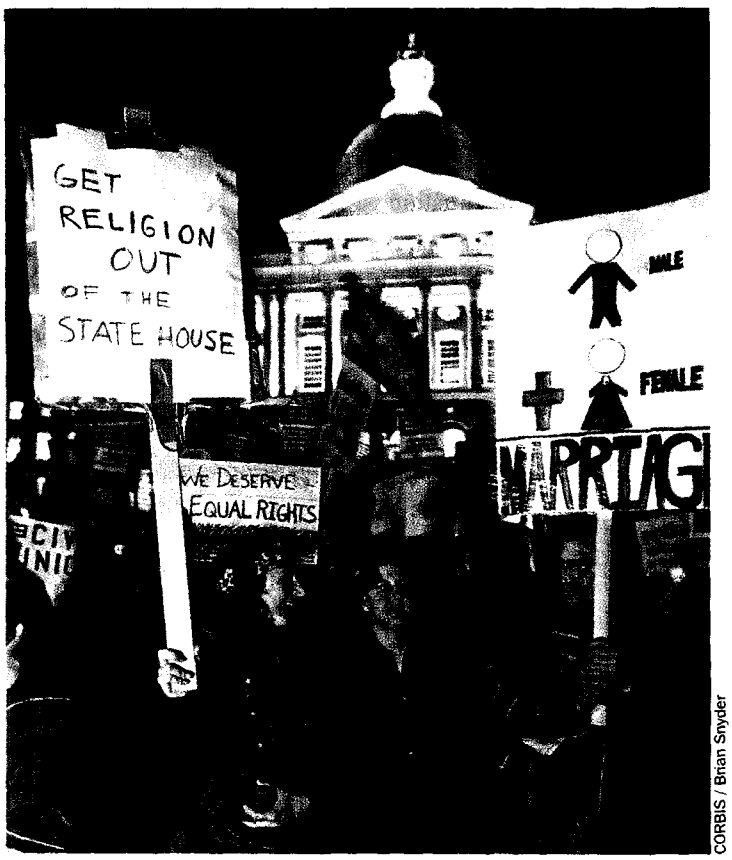
From there, it was only a short step to the headline "State Putting Church Out of Adoption Business," which ran over an opinion piece in the *Boston Globe* by John Garvey, dean of Boston College Law School. It's worth underscoring that Catholic Charities' problem with the state didn't hinge on its receipt of public money. Ron Madnick, president of the Massachusetts chapter of Americans United for Separation of Church and State, agreed with Garvey's assessment: "Even if Catholic Charities ceased receiving tax support and gave up its role as a state contractor, it still could not refuse to place children with same-sex couples."

This March, then, unexpectedly, a mere two years after the introduction of gay marriage in America, a number of latent concerns about the impact of this innovation on religious freedom ceased to be theoretical. How could Adam and Steve's marriage possibly hurt anyone else? When religious-right leaders prophesy negative consequences from gay marriage, they are often seen as overwrought. The First Amendment, we are told, will protect religious groups from persecution for their views about marriage.



CORBIS / Brian Snyder

Supporters and opponents of gay marriage, Boston, March 2004

So who is right? Is the fate of Catholic Charities of Boston an aberration or a sign of things to come?

I put the question to Anthony Picarello, president and general counsel of the Becket Fund for Religious Liberty. The Becket Fund is widely recognized as one of the best religious liberty law firms and the only one that defends the religious liberty of all faith groups, "from Anglicans to Zoroastrians," as its founder Kevin J. Hasson likes to say (referring to actual clients the Becket Fund has defended).

Just how serious are the coming conflicts over religious liberty stemming from gay marriage?

"The impact will be severe and pervasive," Picarello says flatly. "This is going to affect every aspect of church-state relations." Recent years, he predicts, will be looked back on as a time of relative peace between church and state, one where people had the luxury of litigating cases about things like the Ten Commandments in courthouses. In times of relative peace, says Picarello, people don't even notice that "the church is surrounded on all sides by the state; that church and state butt up against each other. The boundaries are usually peaceful, so it's easy sometimes to forget they are there. But because marriage affects just about every area of the law, gay marriage is going to create a point of conflict at every point around the perimeter."

For scholars, these will be interesting times: Want to know exactly where the borders of church and state are located? "Wait a few years," Picarello laughs. The flood of litigation surrounding each point of contact will map out the territory. For religious liberty lawyers, there are boom times ahead. As one Becket Fund donor told Picarello ruefully, "At least you know you're not in the buggy whip business."

Picarello is a Harvard-trained litigator experienced in religious liberty issues. But predicting the legal consequences of as big a change as gay marriage is a job for more than one mind. So last December, the Becket Fund brought together ten religious liberty scholars of right and left to look at the question of the impact of gay marriage on the freedom of religion. Picarello summarizes: "All the scholars we got together see a problem; they all see a conflict coming. They differ on how it should be resolved and who should win, but they all see a conflict coming."

These are not necessarily scholars who oppose gay marriage. Chai Feldblum, for example, is a Georgetown law professor who refers to herself as "part of an inner group of public-intellectual movement leaders committed to advancing LGBT [lesbian, gay, bisexual, transsexual]

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equality in this country." Marc Stern is the general counsel for the center-left American Jewish Congress. Robin Wilson of the University of Maryland law school is undecided on gay marriage. Jonathan Turley of George Washington law school has supported legalizing not only gay marriage but also polygamy.

Reading through these and the other scholars' papers, I noticed an odd feature. Generally speaking the scholars most opposed to gay marriage were somewhat less likely than others to foresee large conflicts ahead—perhaps because they tended to find it "inconceivable," as Doug Kmiec of Pepperdine law school put it, that "a successful analogy will be drawn in the public mind between irrational, and morally repugnant, racial discrimination and the rational, and at least morally debatable, differentiation of traditional and same-sex marriage." That's a key consideration. For if orientation is like race, then people who oppose gay marriage will be treated under law like bigots who opposed interracial marriage. Sure, we don't arrest people for being racists, but the law does intervene in powerful ways to punish and discourage racial discrimination, not only by government but also by private entities. Doug Laycock, a religious liberty expert at the University of Texas law school, similarly told me we are a "long way" from equating orientation with race in the law.

By contrast, the scholars who favor gay marriage found it relatively easy to foresee looming legal pressures on faith-based organizations opposed to gay marriage, perhaps because many of these scholars live in social and intellectual circles where the shift Kmiec regards as inconceivable has already happened. They have less trouble imagining that people and groups who oppose gay marriage will soon be treated by society and the law the way we treat racists because that's pretty close to the world in which they live now.

The (Gay) Public Intellectual

Of all the scholars who attended, perhaps the most surprising is Chai Feldblum. She is a Georgetown law professor who is highly sought after on civil rights issues, especially gay civil rights. She has drafted many federal bills to prohibit orientation discrimination and innumerable amicus briefs in constitutional cases seeking equality for gay people. I ask her why she decided to make time for a conference on the impact of same-sex marriage on religious liberty.

"Not because I was caught up in the panic," she laughs. She'd been thinking through the moral implications of nondiscrimination rules in the law, a lonely undertaking for a gay rights advocate. "Gay rights supporters often try to present these laws as purely neutral and having no moral implications. But not all discrimination is bad," Feldblum points out. In employment law, for instance, "we allow discrimination against people who sexually abuse children, and we don't say 'the only question is can they type' even if they can type *really* quickly."

To get to the point where the law prohibits discrimination, Feldblum says, "there have to be two things: one, a majority of the society believing the characteristic on which the person is being discriminated against is not morally problematic, and, two, enough of a sense of outrage to push past the normal American contract-based approach, where the government doesn't tell you what you can do. There has to be enough outrage to bypass that basic default mode in America. Unlike some of my compatriots in the gay rights movement, I think we advance the cause of gay equality if we make clear there are moral assessments that underlie antidiscrimination laws."

But there was a second reason Feldblum made time for this particular conference. She was raised an Orthodox Jew. She wanted to demonstrate respect for religious people and their concerns, to show that the gay community is not monolithic in this regard.

"It seemed to me the height of disingenuousness, absurdity, and indeed disrespect to tell someone it is okay to 'be' gay, but not necessarily okay to engage in gay sex. What do they think being gay *means*?" she writes in her Becket paper. "I have the same reaction to courts and legislatures that blithely assume a religious person can easily disengage her religious belief and self-identity from her religious practice and religious behavior. What do they think being religious *means*?"

To Feldblum the emerging conflicts between free exercise of religion and sexual liberty are real: "When we pass a law that says you may not discriminate on the basis of sexual orientation, we are burdening those who have an alternative moral assessment of gay men and lesbians." Most of the time, the need to protect the dignity of gay people will justify burdening religious belief, she argues. But that does not make it right to pretend these burdens do not exist in the first place, or that the religious people the law is burdening don't matter.

"You have to stop, think, and justify the burden each time," says Feldblum. She pauses. "Respect doesn't mean that the religious person should prevail in the right to discriminate—it just means demonstrating a respectful awareness of the religious position."

Feldblum believes this sincerely and with passion, and clearly (as she reminds me) against the vast majority of opinion of her own community. And yet when push comes to shove, when religious liberty and sexual liberty conflict, she admits, "I'm having a hard time coming up with any case in which religious liberty should win."

She pauses over cases like the one at Tufts University,

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one of many current legal battles in which a Christian group is fighting for the right to limit its leaders to people who subscribe to its particular vision of Christianity. She's uncertain about Catholic Charities of Boston, too: "I do not know the details of that case," she told me. "I do believe a state should be permitted to withhold tax exempt status, as in the Bob Jones case, from a group that is clearly contrary to the state's policy. But to go further and say to a group that it is not permitted to engage in a particular type of work, such as adoptions, unless it also does adoptions for gay couples, that's a heavier hand from the state. And I would hope we could have a dialogue about this and not just accusations of bad faith from either side."

But the bottom line for Feldblum is: "Sexual liberty should win in most cases. There can be a conflict between religious liberty and sexual liberty, but in almost all cases the sexual liberty should win because that's the only way that the dignity of gay people can be affirmed in any realistic manner."

The Litigator

Marc Stern has known Chai Feldblum since she was eight years old. "Vivacious, really extraordinary," he says as he smiles, shaking his head at the memories of the little girl whose father he knew well. "Chai is among the most reasonable [gay rights advocates]," he says. "If she's having trouble coming up with cases in which religious liberty should win, we're in trouble."

As general counsel for the American Jewish Congress, Marc Stern knows religious liberty law from the inside out. Like Anthony Picarello, he sees the coming conflicts as pervasive. The problem is not that clergy will be forced to perform gay marriages or prevented from preaching their beliefs. Look past those big red herrings: "No one seriously believes that clergy will be forced, or even asked, to perform marriages that are anathema to them. Same-sex marriage would, however, work a sea change in American law. That change will reverberate across the legal and religious landscape in some ways that are today unpredictable," he writes in his Becket Fund paper.

Consider education. Same-sex marriage will affect religious educational institutions, he argues, in at least four ways: admissions, employment, housing, and regulation of clubs. One of Stern's big worries right now is a case in California where a private Christian high school expelled two girls who (the school says) announced they were in a lesbian relationship. Stern is not optimistic. And if the high school loses, he tells me, "then religious schools are out of business." Or at least the government will force religious schools to tolerate both conduct and proclamations by students they believe to be sinful.

Stern agrees with Feldblum that public accommodation laws can and should force truly commercial enterprises to serve all comers. But, he asks, what of other places, such as religious camps, retreats, and homeless shelters? Will they be considered by courts to be places of public accommodation, too? Could a religious summer camp operated in strict conformity with religious principles refuse to accept children coming from same-sex marriages? What of a church-affiliated community center, with a gym and a Little League, that offers family programs? Must a religious-affiliated family services provider offer marriage counseling to same-sex couples designed to facilitate or preserve their relationships?

"Future conflict with the law in regard to licensing is certain with regard to psychological clinics, social workers, marital counselors, and the like," Stern wrote last December—well before the Boston Catholic Charities story broke.

Think about that for a moment. Of all the experts gathered to forecast the impact of gay marriage on religious organizations, no one, not even Stern, brought up adoption licenses. "Government is so pervasive, it's hard to know where the next battle will be," he tells me. "I thought I had a comprehensive catalog, but the adoption license issue didn't occur to me."

Will speech against gay marriage be allowed to continue unfettered? "Under the American regime of freedom of speech, the answer ought to be easy," according to Stern. But it is not entirely certain, he writes, "because sexual-harassment-in-the-workplace principles will likely migrate to suppress any expression of anti-same-sex-marriage views." Stern suggests how that might work.

In the corporate world, the expression of opposition to gay marriage will be suppressed not by gay ideologues but by corporate lawyers, who will draw the lines least likely to entangle the company in litigation. Stern likens this to "a paroxysm of prophylaxis—banning 'Jesus saves' because someone might take offense."

Or consider a recent case at William Paterson University, a state school in New Jersey. A senior faculty member sent out a mass email inviting people to attend movies with a gay theme. A student employee, a 63-year-old Muslim named Jihad Daniel, replied to the professor in a private email asking not to receive messages "about 'Connie and Sally' and 'Adam and Steve.'" He went on, "These are perversions. The absence of God in higher education brings on confusion. That is why in these classes the Creator of the heavens and the earth is never mentioned." The result: Daniel received a letter of reprimand for using the "derogatory and demeaning" word "perversions" in violation of state discrimination and harassment regulations.

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Interestingly, Stern points out, a single "derogatory or demeaning" remark not seeking sexual gratification or threatening a person's job security does not constitute harassment under ordinary federal and state sexual harassment law originally intended to protect women in the workplace. Moreover, Stern says, "our entire free speech regime depends on the principle that no adult has a right to expect the law will protect him from being exposed to disagreeable speech."

Except, apparently in New Jersey, where a state attorney general's opinion concluded, "[C]learly speech which violates a nondiscrimination policy is not protected." "This was so 'clear' to the writer," notes Stern, "that she cited not a single case or law review article in support." Ultimately, the school withdrew its reprimand from Daniel's employment file after receiving negative publicity and the threat of a lawsuit from the Foundation for Individual Rights in Education (FIRE).

Sexual harassment law as an instrument for suppressing religious speech? A few days after I interviewed Stern, an Alliance Defense Fund press release dropped into my mail box: "OSU Librarian Slapped with 'Sexual Harassment' Charge for Recommending Conservative Books for Freshmen." One of the books the Ohio State librarian (a pacifist Quaker who drives a horse and buggy to work) recommended was *It Takes a Family* by Senator Rick Santorum. Three professors alleged that the mere appearance of such a book on a freshman reading list made them feel "unsafe." The faculty voted to pursue the sexual harassment allegation, and the process quickly resulted in the charge being dropped.

In the end the investigation of the librarian was more of a nuisance—you might call it harassment—than anything else. But the imbalance in terms of free speech remains clear: People who favor gay rights face no penalty for speaking their views, but can inflict a risk of litigation, investigation, and formal and informal career penalties on others whose views they dislike. Meanwhile, people who think gay marriage is wrong cannot know for sure where the line is now or where it will be redrawn in the near future. "Soft" coercion produces no martyrs to disturb anyone's conscience, yet it is highly effective in chilling the speech of ordinary people.

Finally, I ask Stern the big question on everyone's mind. Religious groups that take government funding will almost certainly be required to play by the nondiscrimination rules, but what about groups that, while receiving no government grants, are tax-exempt? Can a group—a church or religious charity, say—that opposes gay marriage keep its tax exemption if gay marriage becomes the law? "That," says Stern, "is the 18 trillion dollar question."

Twenty years ago it would have been inconceivable that a Christian or Jewish organization that opposed gay marriage might be treated as racist in the public square. Today? It's just not clear.

"In Massachusetts I'd be very worried," Stern says finally. The churches themselves might have a First Amendment defense if a state government or state courts tried to withdraw their exemption, he says, but "the parachurch institutions are very much at risk and may be put out of business because of the licensing issues, or for these other reasons—it's very unclear. None of us nonprofits can function without [state] tax exemption. As a practical matter, any large charity needs that real estate tax exemption."

He blames religious conservatives for adopting the wrong political strategy on gay issues. "Live and let live," he tells me, is the only thing around the world that works. But I ask him point blank what he would say to people who dismiss the threat to free exercise of religion as evangelical hysteria. "It's not hysteria, this is very real," he tells me, "Boston Catholic Charities shows that."

Fundamentally, Stern sees this as a "religious war" between people for whom an egalitarian secular ethic is the only rational option and people who can make room for an ethic based on faith in a God who commands. There are very few signs of a willingness to compromise on either side, he notes.

"You look around the world and even the right to preach is in doubt," he tells me. "In the United States we are not foreseeably in that position. Fundamentally speech is still safe in the United States. Beyond speech, nothing is safe."

The Health Care Law Expert

Robin Wilson is an expert in both family law and health care law. So when Anthony Picarello approached her about thinking through the impact gay marriage may have on religious institutions, she had a ready model at hand: the struggles over conscience exemptions in the health care field after *Roe* v. *Wade* elevated abortion to a constitutional right.

Wilson predicts "a concerted effort to take same-sex marriage from a negative right to be free of state interference to a positive entitlement to assistance by others. Although *Roe* and *Griswold* established only the right to noninterference by the state in a woman's abortion and contraceptive decisions, family planning advocates have worked strenuously to force *individual institutions* to provide controversial services, and to force *individual health care providers* to participate in them."

"This litigation after *Roe*," she says, "provides a convincing prediction about the trajectory that litigation

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after *Goodridge* will take" (*Goodridge* being the Massachusetts supreme court decision that legalized gay marriage). The post-*Roe* litigation also provides fair warning about the limits of First Amendment protection. The lever used to force hospitals and doctors to perform abortions and sterilizations was the receipt of any public money. "Given the status of most churches as state nonprofits and federally tax-exempt organizations, it is likely that public support arguments will be advanced to compel churches to participate in same-sex marriage. Thus, churches in Massachusetts (and perhaps soon other states) may have much to worry about," Wilson writes. "Churches that oppose same-sex marriage today may perceive a credible, palpable threat to their tax-exempt status, the benefits of which are substantial."

This threat is credible, she explains, because to be recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code, an organization must have purposes and activities that do not violate fundamental "public policy," a concept that neither the Supreme Court nor the IRS has fully defined.

The case that worries Wilson in this regard is one that Chai Feldblum mentioned: *Bob Jones University* v. *United States*, in which the IRS revoked the federal tax exemption of Bob Jones University because the school prohibited interracial marriage and dating among its students. The Court easily dismissed Bob Jones's claim that its prohibition on interracial dating was religiously grounded and therefore protected by the First Amendment. The denial of tax benefits, the Court asserted, would not prevent the school "from observing their religious tenets."

Equally, the First Amendment did not prevent religious hospitals from being punished for refusing to perform abortions, once abortion became a constitutional right. It was Congress and state legislatures that stepped in to provide generous statutory religious exemptions. Once gay marriage is legal, it too will probably become fundamental public policy. To protect the tax-exempt status of religious groups that oppose gay marriage will thus likely require legislative intervention to create religious exemptions at either the state or federal level or both, says Wilson. She means the same kind of religious exemption that, to date, no politician in Massachusetts besides the outgoing governor is willing to support.

The Legal Eagle

Jonathan Turley, the George Washington professor who is a First Amendment specialist, also sees a serious risk ahead. Turley has no problem with gay marriage. But the gay marriage debate, he notes, exposes "long ignored weaknesses in doctrines relating to free speech, free exercise, and the right to association."

Before 1970 the law was "viewpoint neutral" with regard to the tax exempt status of all charitable, religious, and public interest organizations under section 501(c)(3), he says. The tax exemption was viewed not as a public subsidy, but as a means of encouraging private donations and charitable conduct in general. In 1971, the IRS issued a decision redefining the tax exemption as a public endorsement or subsidy. This meant that the IRS would strip an organization of its exempt status if its purposes, although legal, were "contrary to public policy." The goal at the time was to use legal pressure to end private racial discrimination. But why stop there?

Right now, Turley notes, there is no clear federal public policy against discrimination on the basis of sexual orientation. But such a policy is imminent, he believes, most likely within the decade. Once that occurs, he agrees with Robin Wilson: "Any organization that engaged in such discrimination as a matter of faith would be in a position similar to Bob Jones University."

It's not that hard to imagine: Pass an antidiscrimination law at the federal level, which polls suggest the majority of Americans already support; look for a 5- or 10-point swing in public opinion on gay marriage; then add a new IRS commissioner (not directly accountable to the voters) who wants to make his or her progressive mark, and religious groups would wake up to find themselves playing in a whole new ballgame.

Religious bodies may be as simple as the small, independent congregations that exist all over America, but often they are large and complex institutions with extensive property and multiple missions, notably saving souls. Even a slight risk of anything so damaging as the loss of tax-exempt status will persuade many such groups to at least mute their marriage theology in the interest of preserving the rest of their activities. Such a self-imposed muting on the part of faith communities would change our culture of marriage, and our understanding of the free exercise of religion, without necessarily creating visible martyrs.

The Consensus Broker

Charles Haynes, a senior scholar at the Freedom Forum's influential First Amendment Center, specializes in helping groups in conflict find common ground on First Amendment issues. For example, he recently got the Christian Educators Association International and the Gay, Lesbian and Straight Education Networks (GLSEN) to agree to what he calls "consensus guidelines" for public schools dealing with orientation issues. I went to him for an outside opinion from a First Amendment expert who had not attended the Becket Fund conference. Like every other expert I interviewed, Haynes told me he wasn't concerned that clergy will be

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forced to marry same sex couples. What about the other potential conflicts? Are they real? "There are already tensions," he tells me. "I think there is a kind of collision course here that is inevitable."

For a man in the conciliation business, Haynes doesn't sound optimistic. "I think it's a serious question that will grow more difficult. I think we will have more and more tension between efforts by the state to protect gay rights and the need to protect religious freedom. This will have an impact on religious individuals as well as perhaps religious organizations in areas such as housing, the workplace, hiring."

I ask him whether his concerns are shared by the wide spectrum of religious and civil rights groups he deals with. "Everyone's talking about it, thinking about it," Haynes tells me. "There are a lot of different ideas about where we are going to end up, but everyone thinks it is the battle of our times."

The Marriage Line

How much of the coming threat to religious liberty actually stems from same-sex marriage? These experts' comments make clear that it is not only gay marriage, but also the set of ideas that leads to gay marriage—the insistence on one specific vision of gay rights—that has placed church and state on a collision course. Once sexual orientation is conceptualized as a protected status on a par with race, traditional religions that condemn homosexual conduct will face increasing legal pressures regardless of what courts and Congress do about marriage itself.

Nevertheless, marriage is a particularly potent legal "bright line." Support for marriage is firmly established in our legal tradition and in our public policy. After it became apparent that no religious exemption would be available for Catholic Charities in Massachusetts, the church looked hard for legal avenues to continue helping kids without violating Catholic principles. If the stumbling block had been Catholic Charities' unwillingness to place children with single people—or with gay singles—marriage might have provided a legal "safe harbor": Catholic Charities might have been able to specialize in placing children with married couples and thus avoid collision with state laws banning orientation discrimination. After *Goodridge*, however, "marriage" includes gay marriage, so no such haven would have been available in Massachusetts.

Precisely because support for marriage is public policy, once marriage includes gay couples, groups who oppose gay marriage are likely to be judged in violation of public policy, triggering a host of negative consequences, including the loss of tax-exempt status. Because marriage is not a private act, but a protected public status, the legalization of gay marriage sends a strong signal that orientation is now on a par with race in the nondiscrimination game. And when we get gay marriage because courts have declared it a constitutional right, the signal is stronger still.

The method and the mechanism for achieving protected status may be different for orientation and for race. Even the Massachusetts supreme court, for example, declined to rule explicitly that orientation is a protected class, subject to strict scrutiny. But in Massachusetts, the end result may be similar. If state courts declare gay marriage a constitutional right, they are likely to see support for gay marriage as state public policy.

On the cultural level, the declaration by a court that only animus explains why anyone would treat two men differently from a husband and wife represents an unfolding civil rights logic that has real consequences. As *Boston Globe* columnist Ellen Goodman put it, "But if you give one church permission to discriminate against gays, what's next? Permission to discriminate against blacks or Jews who want to adopt?"

End Game

On April 15, the *Boston Globe* ran a story about three other Catholic adoption agencies, in Worcester, Fall River, and Springfield, that do not do gay adoptions. The story noted that, for now, these agencies will not be punished for their refusal. Constantia Papanikolaou, general counsel for the state Department of Early Education and Care, said her agency is holding off taking any action because the governor has proposed legislation that would provide a religious exemption for adoption agencies. "We're going to wait and see how the legislation plays out," Papanikolaou said.

The reprieve is likely to be short-lived. Observers universally say the religious exemption has no chance of passage, and in a few months, Mitt Romney will no longer be governor. What then? The *Boston Globe* story provides a clue: "Gary Buseck, legal director of the Gay & Lesbian Advocates & Defenders in Boston, said his group realizes that Massachusetts will have a new governor next year, and it expects that he or she will aggressively enforce the state's antidiscrimination laws."

Marc Stern is looking more and more like a reluctant prophet: "It's going to be a train wreck," he told me in the offices of the American Jewish Congress high above Manhattan. "A very dangerous train wreck. I don't see anyone trying to stem the train wreck, or slow down the trains. Both sides are really looking for Armageddon, and they frankly both want to win. I prefer to avoid Armageddon, if possible." ♦

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What Would Jesus Rap?

On the road with Junkyard Prophet, apostles to the public schools

By Matt Labash

Minneapolis

When the history of Christian rap-metal music is finally written, I pray to the Lord of Hosts that I don't have to read it. But if that fate should befall me, I'd feel gypped if it didn't include an extended encomium to the boys from Junkyard Prophet.

If you have fallen behind in your reading on the Christian "rapcore" and "nu-metal" scene, you might have missed the announcement in *Heaven's Metal* magazine a decade ago naming them the second best unsigned band behind P.O.D. ("Payable on Death.") Since then P.O.D. has been signed, has crossed over to the secular side, and has become a multiplatinum MTV darling. But Junkyard Prophet? They're another story.

Unless you're one of the students, teachers, or custodians sweeping out the gym at the public high school assemblies where they play and speak as part of their "You Can Run But You Cannot Hide" ministry, you've likely never heard of the Minneapolis-based quartet. In order to maintain control of their content and to ensure they can keep playing schools instead of clubs or more marketable venues, they've turned down label offers, electing to put out their own CDs.

To supplement their $1,500-per-school fee, which they often reduce or waive if schools can't pay, they fund their ministry by putting out music and literature vending tables in gas-station and Wal-Mart parking lots. When not playing schools, members of the band and their crew, all of whom consider themselves "independent missionaries," man these stations six days a week to raise funds. They have done this for the better part of a decade, laboring in the vineyards of near total obscurity. Or at least they did until last winter.

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That's when the left-wing blogosphere discovered them, and grew apoplectic at the notion of their existence. How dare Junkyard Prophet preach to our children, sometimes getting paid out of Department of Education funds provided to cash-strapped schools—funds that could more usefully be spent on federal initiatives like anti-bullying programs, workshops on why kids shouldn't construct crystal-meth labs, and free condoms for students who need to work out pent-up sexual frustrations after being bullied by their meth dealers.

Junkyard's critics disparaged them as right-wing rockers in the tradition of Foghat, Ted Nugent, and the Right Brothers, the last of whom are responsible for the worst song in the history of recorded music, "Bush Was Right." Their music was said to "suck monkey balls," and one of their abstinence-themed songs was said to do the trick: "Seriously! Play it to someone you've got the hots for and they'll never come near you again." Junkyard ranked number seven on the *Democratic Underground*'s list of "Top Ten Conservative Idiots," and would probably have landed higher had George W. Bush not held down three separate positions on the list. One contributor at the *Huffington Post* wrote that they'd rather their tax dollars go toward buying Junkyard Prophet enough booze to "drink themselves to death." Another said that they too disputed evolution "after hearing some of this group's music." Someone even vowed to counter-program them with "an Islamic Praise-Allah band."

But when I read all these pejorative pronouncements about these Jesus-wheezers who had vaulted over the church/state palisade under the guise of character education to rail against everything from premarital sex to overmedicating kids, who advocated taking responsibility for your bad choices, who implied that homosexuality and abortion are sins, and who apologized for none of it, I had no desire to apply for the cowbell player position in the Praise Allah Band. My reaction was quite different: I had to party with these Junkyard guys.

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As the product of an evangelical upbringing, I can best describe my own relationship to Christian rock as love-hate, with heavy emphasis on the latter. I tend to subscribe to the writer Joe Bob Briggs's definition of Contemporary Christian Music as consisting of "bad songs written about God by white people." Though the quality's gone way up since I was a kid, it's always seemed that those who embrace Christian rock resemble tofu-burger eaters or near-beer drinkers—people in search of pale substitutes for things they once found pleasurable.

Which is not to say I didn't listen to it. I sort of had to. My devout parents were briefly body-snatched by a pair of legalistic Pharisees, the kind of people who put the "duh" in "fundamentalism." During these wilderness years, the folks removed my worldly music (mostly old soul records), forcing me into the near-beer parallel universe before they came to their senses.

It was a common phenomenon in the churches of my childhood after guest-speakers armed with Power-Point presentations would mount the pulpit at your local youth retreat. They'd ruin your good-times vibe by telling you how rock'n'roll was Satan's soundtrack. As evidence, they'd whip out their highlight reel, in which Yoko Ono's "Kiss, Kiss, Kiss" played backwards purportedly hissed "6-6-6." To the untrained ear, it sounded more like "cyst, cyst, cyst." It left us Christian kids disillusioned, confused, and wondering who in their right mind would listen to Yoko Ono forward, let alone backwards.

My biggest fear, therefore, when riding along with Junkyard Prophet for a week's worth of shows in their 14-school, month-long tour, wasn't that I'd be proscribed from using profanity on the bus, though I was (I haven't been encouraged to use the Nerf curse "stinkin'" since 6th grade). Rather, I worried that the band's music would suck. Mercifully, it doesn't.

Their sound is grease-bucket funky, with miter-saw guitar work over a tight, bass-heavy rap/rock hybrid, in the vein of Rage Against the Machine and Limp Bizkit on the secular side, P.O.D. and Pillar on the Christian one. When I blasted them from my basement, my wife, who has a stomach for Christian praise music, descended the steps to complain, which I took as a good sign. While the words "Christian rap" can cause the involuntary skin prickling of a bad peanut allergy, Junkyard doesn't make your teeth hurt with candy-apple, love-ya-Jesus lyrics.

Their songs do without the secular genre's f-bombs and pimp-talk. But the group makes up for it by sounding like saggy-pants Elijahs standing on Mount Carmel, summoning down Jehovah-thrown firebolts. You can call Junkyard Prophet many things, but "light touches" isn't one of them. They take it to the unsaved (*Gonna burn in hell if it's not God you pleasin' / What you gonna do when your lungs stop breathin' / Reign with the King or burn with the heathen*) to Christian hypocrites (*Playin' the game / Blasphemin' His name / For the gain and fame / Your claim is vain / Your walk is lame*) to the current presidential administration (*Homeland plus security / Equals nothing but democratic slavery / Exposin' your conspiracy / Pack your bags, get your butt back to Germany*).

It will come as a great disappointment to Junkyard's leftist critics, who've assumed they're propagandistic Bush puppets, that the strongly pro-military band is also more antiwar and anti-Bush than most of the Chomsky-spewing cyberdorks who pilloried them. The band's drummer and leader, Bradlee Dean, calls Bush a "punk, lyin' stinkin' kid," and says Dick Cheney is a "straight-up liar" who he expects "will be in Hell pretty soon." He regards our two-party system as "professional wrestling," and says if he had to commit, it would be to Howard Phillips's Constitution party.

I was supposed to hook up with the band in January, but their tour was cancelled the day before my scheduled departure after Bradlee drove his ATV into a snow bank, flipping over the handlebars and busting out six teeth. "I feel so stupid," he said on the phone at the time. Though with his swollen jaws and missing teeth, it sounded more like, "I eel oooo uuuuiiiddd."

He has healed up now, and enjoys the cosmetic benefits of falsies melded to a retainer. His bandmates have to remind him not to leave the thing behind when he takes it out to eat. "He recently left his teeth at the Red Lobster," says his wife Stephanie, who used to do television commercials for places like Costcutters hair salon, and who has the blonde perkiness of a Liberty U. head cheerleader. Stephanie teaches the young ladies "Virtue" class at the assemblies, and also sings a few pop-ish sexual-abstinence-themed numbers with the band.

I finally meet Junkyard Prophet at their headquarters about an hour outside of Minneapolis as they pack up their bus to hit the road. It's a corporate-looking strip mall office, adorned with a cherrywood conference room, a kitchenette, a foosball table, and framed portraits of their favorite theologians, men like John Knox and Charles Spurgeon.

The lead guitarist is 42-year-old Rene Benton, who just joined the band last year, and who commutes from his home in Las Vegas. When not playing with Junkyard Prophet (the band doesn't perform when school's out for summer), Rene plays hotel revues and Vegas shows and is conversant in nearly every style of music. He's gigged around the world with everyone from Fishbone to Gigi Hamilton ("she's, like, the Whitney Houston of Sweden"). He even went to China for a last minute fill-in with Chubby Checker. That must've been hard, I suggest, since I don't make him for a guy with lots of Chubby Checker records around the house. "Not too hard, man," he laughs. "Chubby only had two hits—'The Twist' and 'Let's Twist Again.'"

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Andrea Ruark

Junkyard Prophet plays Oregon-Davis High School in Hamlet, Indiana.

Rene is an odd fit no matter where he goes. His secular bandmates call him "The Reverend," since he doesn't engage in their reindeer games, like drinking, drugging, and groupie-rutting. After a non-Junkyard show, he packs up his guitar, and leaves. "Where's the Rev?" he says other musicians ask. "In his room, where he's supposed to be," he tells me. But he's used to being the outsider, as one of the few black guitarists in the game. Rene favors head-wrap bandanas and hoop earrings, making him look like a pirate with no body fat. The former Marine, who can crank out five one-armed pull-ups faster than you can click a television remote, actually sleeps in the gym of whatever school Junkyard Prophet is playing the next morning, not just for the sound check before first bell, but so that he can get in a workout.

On bass and vocals is Mass Dogg, a former welder and 25-year-old Mexican American who's been playing since he was five. He used to be in a family band. He toured the country with his Pentecostal evangelist father, cranking out their accordion-rich *Norteno* and *cumbia* music at revivals. These days, he slap'n'pops Junkyard's funky basslines, then listens to their cuts "hundreds of times" to see what they can do different or better. His nickname is a play not only on his real name (Massey Campos), but also on his former size. Massey used to be about 70 lbs heavier.

God convicted him about his eating habits, and he began taking seriously the scriptural injunction to treat your body as a temple, even though his temple potlucks are necessarily catered by Ponderosa, Bonanza, and other slop troughs where they stamp the charbroils on the meat. Along with beef jerky, Cup-a-Soup, and Little Debbie snack cakes, it's how the band has to find sustenance on their rips through small Midwestern towns (Rene just sticks with a salad usually). But the new everything-in-moderation Massey is a testament to the band's message that we tend to medicalize our worst habits, from alcoholism to obesity, instead of facing our own culpability. "I fought urges every stinkin' day of my life," says Massey, proudly. "I worked at Taco Bell for nine months, but only ate there once."

The lead singer, or lead rapper rather, is 30-year-old Wayne Ruark, who only took up the sport in his late twenties, but who sounds like he's been doing it his whole life. Wayne sports a black backwards-cap and a Chinese-character neck tattoo, which he's been told means either "God's sacred soldier" or "mentally ill." Though a high-school jock who was voted best looking in his class, he has none of the typical prima donna lead-singeritis. In song, he calls himself "the cornfield gangster" from "the hood made of wood" (that would be the small town of Salisbury, Maryland). But in real life, he's a humble sort who doubles as the band's bus driver.

He came to Christ, and the band, after a troubled adolescence that included overdosing at his senior prom and getting fired from his security-guard job at a Perdue plant after he was found stealing the chicken scales to weigh the drugs he was selling. He also ran afoul of the law when some stranger robbed a cab, then took police on a foot chase that randomly snaked through Wayne's house. The cops lost track of the perp but ended up noticing Wayne's drug paraphernalia. "It was the hand of God, dude," he says of the incidents that led him to get help.

When I ask Wayne why Massey gets a cool name like "Mass Dogg," but he's just plain Wayne, he shrugs nonchalantly. He says he kicked around "White Chocolate" or "Vanilla Fudge," but those were already taken. Instead, he settled on "G Money Funk Master Grizzup in Da Hizzouse," though he rarely uses it. "Better stick with Wayne," I agree.

Overseeing the entire enterprise is 39-year-old Bradlee

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Dean, the band's skipper and drummer. If Junkyard Prophet is ever properly discovered (something the business-minded Rene is working on, by, for instance, getting everybody instrument endorsements, which he says was long overdue), Bradlee stands to go down as one of the most singular men in rock'n'roll, Christian or otherwise. He stands 6'5" with hair so long he could wrap it around himself and use it as a loin cloth. He hasn't cut it in 13 years, and once, when playing the Iron Horse, a now defunct Minneapolis rock club, his stick became entangled in his mane mid-song. "I had to yank it out," he winces. "I about started crying like a fat baby. It was terrible, dude." (It is a rare sentence that Bradlee doesn't end with "dude," "brother," or "dog.")

Favoring shower shoes, short sleeves, and gym shorts even when it's cold, Bradlee's body looks like a booth at a tattoo artists' trade show. He has Disney characters, Chinese writing—so many, he's lost count. But his highlights include his twin forearm tattoos: one of Abraham sacrificing Isaac with a crucified Jesus looking on, the other of the archangel Michael's fist "knocking the snot out of Satan." Then there's the shin tat featuring the heads of his three children. Ranging in age from toddler to 17, he brings them on tour. The little ones are called Pickle and Buggy, and they love the band's thoracic-cavity thumping sound. "It's their lullaby," says Stephanie.

The oldest is Torrey Lee, who mixes his own atonal music on a Macintosh laptop, and who threatens to start a band called the Heimlich Maneuvers. Bradlee calls him "Bose," as in the speakers, though he tells me to spell it "Boise." When I tell Bradlee he's nicknamed his son after the Idaho capital, he admits, "God speaks through the heart, not the head, and my head's not into my spelling."

Luckily, the high-school dropout doesn't teach English. Rather, the lessons Bradlee imparts to students are from the school of hard knocks, from which he graduated with honors, and which is also the name of one of his many websites. He and his older brother Bryan nearly raised themselves. His father, whom he barely knows, spent most of their childhood in jail. Their mother was always off with some abusive boyfriend, leaving them at home, even on holidays, to eat Shredded Wheat for dinner.

If he had a father figure at all, it would have to be Pa Ingalls, played by Michael Landon on *Little House on the Prairie*, a show young Bradlee watched religiously. To this day, he still screens old episodes on the band's tour-bus VCR. With no provocation, Bradlee is likely to run dialogue from favorite *Little House* moments with the band's crew member Jake MacAulay. Jake does a particularly skillful impression of Olga, the German immigrant girl for whom Landon makes a special shoe since one of her legs is shorter than the other. (Jake as Olga: *But Papa, he made me a shoe!* Bradlee as Olga's dad: *Ingalls, I told you not to meddle!)* "Landon really raised a fatherless generation," says Bradlee. "God used him, dude."

But Pa Ingalls's television guidance wasn't enough to keep Bradlee out of serious trouble. Early on, he had a taste for violence, first taking up boxing, then Jeet Kune Do, Bruce Lee's martial art system. "I wanted to see if it worked in a real fight," he says. "Dude—it did!" Stereotypical drinking, drugging, and womanizing ensued, all of which was exacerbated when Bradlee got into rock'n'roll. It was a life he figured he was suited for upon copping his first real attention fix, finishing second in a "Saturday Night Fever" dance-alike contest. "I should've won," he says bitterly.

He spent the '80s and early '90s working in hair bands like Surprise Attack and thrash-bands with names like Hooker and Amaryst. "I honestly don't even know what that meant," he blushes. "But we had a picture of Mickey Mouse giving the finger. Buncha goofballs." He sank deeper into a personal morass. His final pre-Christian tally (which he mentions without belaboring the point in a self-published bio made available to students) looked like this: six emergency room visits for drug overdoses, stabbed once in the head with a screwdriver, nose broken twice, gun pointed at his head and chest in various conflicts, one DUI, two DWI's, three trips to detox, and three trips to jail.

He finally hit bottom, then cried out to God. "Blessed is the man who the Lord chasteneth," he says, forever the scripture Gatling gun. "He showed me who I wasn't, and who He was, and that's what He's been doing since that day. Boy, was it hard." Bradlee expects such transformative work to be difficult, understanding literally Christ's bit about taking up your cross to follow Him. He vehemently rejects the modern-day, superchurch prosperity gospel, which he calls a farce. "He promised you trials and tribulations, persecutions and afflictions, brother."

Though the church often portrays a passive, pansy Jesus, Christ didn't run from the fight, He went to it, delivering the truth not only with love but with ferocity. It pretty much got Him crucified, says Bradlee. It wasn't some Joel Osteen-style, blow-dry-your-hair and pass-the-plates gospel. "If you're at peace with the world, brother," Bradlee warns, "the Book of James says friendship with the world is enmity with God. He didn't come here to people-please, dude."

Consequently, Bradlee and friends have elected to turn their music and ministry over to bringing kids hard truths. To not just look at those smirky adolescents wearing their DARE shirts ironically, and tell them it's okay to say no to drugs as they've been told thousands of times before, many of them so overeducated from drug awareness seminars that they could cook up a batch of crank in chemistry class.

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Bradlee would rather stress that it's morally wrong to do drugs, and that their lives are headed for destruction if they persist. "We're not coming in with boxing gloves saying we're going to knock your teeth out," he says. "No, no. God loves you. But I'm gonna tell you the truth and show you how much He loves you. You have to make a choice. Love warns, bro. It doesn't want people to go over the cliff and crash. We used to do that in this country, to love each other enough to get in each other's faces. They call it 'offensive' now, then wonder why the world's doing what it's doing."

Indeed, anyone worrying that some oversized hair-band refugee and flame-snorting moralist might get a crack at their high-school kids for two hours should ponder the daily news-of-the-weird emanating from public schools. Checking the *Drudge Report*, I spy headlines in which public school teachers have taken bribes from students, given wedgies, given hickeys, and had sex with a 13-year-old 28 times in one week. And that was just over the six-day period in which I traveled with the band.

The three schools we hit in Wisconsin and Indiana are all now a blur, each of them indistinct in the way of public schools. They smell of ammonia-based cleaning solvent and bad cafeteria food. The halls are adorned with photos of yesteryear's conquering heroes from the 4th-place volleyball team, their tube socks pulled so high and their Kristy McNichol-haircuts so unstylish that they have actually come around again. There are, however, random signs of the times, of misplaced priorities. One school has the Coke machines unplugged to keep kids away from dangerous soda. The same school also features a baby-changing station in the boys' restroom.

Junkyard Prophet opens every assembly with an hour-long set from their latest CD, *The Price*. They take the stage in a veil of smoke, made by their belching fog machines, which frequently set off school fire alarms. Rene strikes rock-star raised-arm poses while his guitar wails like an amplified hyena. Massey dredges up the funky bottom, while the lead-footed Bradlee works his kick drums like a steady cinder-block rain is falling on his double-bass pedals. Wayne, our affable, unassuming bus driver, is transformed into the Cornfield Gangster, spitting rhymes and stalking the stage like it's a prison yard and a lesser inmate has misplaced his favorite dumbbell.

The reaction varies from school to school. At Baldwin-Woodville High School in Baldwin, Wisconsin, the kids stay pie-eyed and glued to their chairs, seemingly overwhelmed and slightly frightened by the screaming Jesus rockers who are setting off sound bombs at 8:30 on a Monday morning. "Most of us like country," one kid nervously explains. But at another high school in New Washington, Indiana, the kids rush the stage, crowd-surf, and even form head-banging circles (the band once had to stop a Minneapolis show when the principal got trapped in the mosh pit).

Afterwards, girls in tight American Eagle baby-T's approach the band to sign their body parts, as their favorite secular bands do at their concerts. Bradlee declines, and tells them to email his organization to "tell me what you think of the show." He actually wants to sic his wife on them to give them a good talking-to about virtuous behavior. "Well, Kid Rock did it," protests one aspiring groupie.

Junkyard Prophet's music is the only explicitly religious part of the program. If it's any consolation to the band's critics at the watchdog group Freedom From Religion (which Bradlee says is "like a fish starting Freedom From Water"), it's impossible to understand the lyrics, except when Stephanie joins them for an acapella gospel spiritual where the chorus mentions "my sweet Jesus."

After the concert, Bradlee typically grabs the mike and works a crowd of rapt teenagers over for another hour. They're mostly afraid not to pay attention, since he often singles out a too-cool-for-the-room disrupter early on, promising to embarrass them during the first warning, then bounce them during the second.

He speaks with almost painful directness. He says to their teachers: "Now you understand what your parents felt like when you listened to Elvis Presley." He makes lots of poop jokes. ("Poop works," he insists.) Believing in the short attention span of teenagers, he feeds them with a fire hose, hitting every issue from the media and politicians lying to us about nearly everything, to talking about the moral relativism of our society, in which movie theaters put out special warnings to parents who bring their children to see the *Passion of the Christ*, when there're none for the usual R-rated smut.

He talks about how the media bend over backwards to promote the gay agenda, and how preposterous it is that it is unlawful to pick flowers in state parks, but that it's legal to abort babies every day in this country (to demonstrate the value of life, he shows a photo of a baby's hand leaving the womb to grab a doctor's finger, a photo that once got his session shut down by a principal who mistook it for one of those anti-abortion snuff stills).

His grasp of current-events minutiae is somewhat tenuous. For instance, I was unable to find anything substantiating his claim that "Communist dictator" Mikhail Gorbachev is somehow behind Bush's diabolical No Child Left Behind (though the teachers seemed to enjoy this one). Along with five or ten other peripheral issues (from Rosie O'Donnell's anti-gun hysteria to the hypocrisy of Madonna, who won't let her own children watch her slutty videos), he hacks off across the spectrum like a duf-

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fer on a driving range. But his meat'n'potatoes is his personal story.

After telling it, minus all the Jesus-talk, he speaks about how prevention is better than cure, about how we reap what we sow, about how we are not "sick" when we fall into alcohol and drug abuse, but rather "making bad choices," about corny notions like right and wrong and the Ten Commandments, and about how our culture is afraid to state the obvious. He talks straight to the kids, without pretense or euphemism. And they seem to respond, from the buckets of testimonials the band shows me, and from the "You rock" and "Thanks for being honest" attaboys that I witness firsthand. I also hear it in my own conversations with teachers and principals, many of whom prefer the cloak of anonymity as they quietly root for these Christian rockers. One teacher tells me that it's not the public school's place to parent the kids, but since the parents aren't doing it, somebody should.

At one assembly, Bradlee calls his own children up and tells a story about how he spanked one of his "boys that I love so much" for running out in the road and almost being creamed by a van. It's nearly unthinkable to even speak of spanking children in public these days, but the kids and teachers listen, and nobody's face melts. "If he doesn't listen the first time," Bradlee says, "that second van might not stop. I love these babies with my life. If someone would've told me what I just told you, it would've stopped a whole lot of pain and destruction in my life. But nobody had the gall to get in my face and tell me 'no.' You're somebody's babies too, and don't ever forget it. That's why we do what we do. Thank you for having me. You guys rock, big time!"

Perhaps I've read too many backstage tell-alls or seen *Almost Famous* one too many times, but the traveling rock'n'roll circus isn't all trashing hotel rooms and hitting naked groupies with lunchmeat. There's a lot of tedium involved, especially when you're not just a ride-along journalist, but out of necessity a roadie (my apologies to the band for breaking the rivet on their projection screen).

There are endless hours on the bus, made passable by Bradlee's unique personality. He seems to suffer from some kind of cleanliness-next-to-godliness Obsessive Compulsive Disorder, growing nearly violent if people don't remove their shoes before taking even two steps down the plastic runner in his bus aisle. He keeps us entertained by making fun of the physical peculiarities of his bandmates: "Massey, I'm not trying to be mean, brother, but your breath smells like somebody crapped."

He is also a gold-plated conspiracy theorist who will readily hold forth on the mysterious plane crashes of Paul Wellstone and John Kennedy Jr., how Oswald didn't act alone, how O.J. Simpson might've been framed ("He's driving down the freeway, all of the sudden there's this helicopter on his truck—how convenient!"), and how the moon-landing was faked in a television studio. We disagree so vehemently on this last point that he starts polling his assemblies on the subject just to settle the dispute. To what should be the chagrin of us all, apparently about 35 percent of public school students and teachers believe Neil Armstrong deserves an Oscar for his star turn in that NASA movie.

But it's not all fun and crazy talk. The road is a difficult place. His band and crew have had to sleep in frozen cars in South Dakota, and were once run out of town by police in the Ozarks after school administrators decided they didn't like Junkyard Prophet's brand of character education. They've had injuries (Wayne once tumbled off the drum riser in the middle of a song) and breakdowns, such as when the wheels came completely off their equipment trailer—a $4,000 repair on the way to play a $200 gig in Tennessee.

Bradlee's hard on himself and his band, watching playbacks of their school-assembly performances in which even his compliments are barbs: "You look great up there Wayne-O—too bad you can't sing." When I ask him why it matters—after all, he's just playing for a bunch of high-school kids in a gym—he fires back, "I don't want to be okay. I want to be, 'Hey, that's Bradlee Dean, representing Christ.' A couple times I went to Christian clubs. You'd go in and watch the band, and the drummer had these big, thick glasses on. Dressed like a total dork. . . . There's no reason for it. What people do is use Christ as a cover just to be a loser. It's not right, dude."

Bradlee likes to say that in ministry, "something always goes wrong, bro." Your life is an endless loop of tribulations and deliverance. But, as Rene says, "If God calls you to do something, do it, and ask questions later. You smell me?" And so it goes when I leave the band. A few days later, their bus's engine blows up in Manassas, Virginia. There was metal in the oil, always a bad sign. The repair will cost $26,000. Bradlee says they were forced to rent a couple vans at rape-me prices. I sympathize, but say it's too bad I wasn't around—it would've been good for the story. He calls me a vulture, but doesn't get excited, saying they always hemorrhage money on the road, "but it all comes around somehow."

A few days more, and it does. Bradlee tells me by phone that a Minneapolis contact they hardly know heard of their troubles, and volunteered to pick up the entire repair tab—nearly 30 grand. "That's amazing," I exclaim. "I guess so," says Bradlee, though he adds that small miracles such as this greet them all the time. "That's the way it works out here. We're on the King's Highway, dog." ♦

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W.H. Auden, 1969

Grappling with God

The faith of a famous poet By Wilfred M. McClay

It's a safe bet that W.H. Auden would have been suspicious of the idea behind this book. True, he was forthcoming about his attraction to the Christian faith, an attraction that remained strong even during his years of professed atheism, and became explicit after his formal return to the church in 1940. He was equally forthcoming in lamenting what he called the "prudery" of "cultured people" who treat religious belief as the last remaining shameful thing, and find theological terms "far more shocking than any of the four-letter words." Furthermore, there can be no doubt that Auden was, and deserves to be known as, a Christian writer, rather than a writer who merely happened to be Christian. Many of his most distinguished works of poetry and criticism, especially in his American years, are not only indebted to, but positively enveloped in, the riches of Christian narrative, language, imagery, allusion, and moral insight.

Auden and Christianity
by Arthur Kirsch
Yale, 240 pp., $30

The notion that religious faith and serious thought are mutually exclusive categories always struck Auden as risible and unintelligible. But he would have bristled at an effort to separate out his religious beliefs and restate them as systematic propositions, or examine them independently or thematically, rather than see them as players in his rich and various inner symbolic drama. Such an undertaking would probably have struck him as unspeakably vulgar and, moreover, an invasion of his privacy, putting his devotional life on display and forcing him unwillingly to be judged by the public standard of a "religious" man, a role for which he felt singularly ill-equipped.

He was only too aware of how undisciplined and unsanctified his imagination was. His thoughts, as he wrote late in life, wandered freely from the sacred to the profane and back again, "potter[ing] / from verses to sex to God / without punctuation." And since the sexual thoughts in question were generally of what H.L. Mencken called the "non-Euclidean" variety, a persuasion that Auden firmly believed to be sinful or "crooked," but which he nevertheless embraced unrepentantly,

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their constant intermingling with his religious yearnings and literary aspirations made for an exceedingly complicated sensibility.

That, however, only means that the extraordinary poet was also an ordinary sinner, and that is just how he is presented to us in this generous and humane book, which will be an important addition to the shelf of essential writings on Auden, and will be especially valued for the light it sheds upon the role played by his religious beliefs in the workings of his creative imagination.

Scholars, though, will not be the only readers to benefit from it. As young writers and visual artists with traditional religious commitments seek fresh ways of thinking about how they might integrate their faith and their work, and thereby restore a sense of high and culture-molding seriousness to the calling of art, they would do well to ponder the strengths and weaknesses of Auden's example, a task that Arthur Kirsch will have made much easier for them.

His rendering of the interplay between Auden's literary and religious concerns proceeds with meticulous and self-effacing care, moving gracefully between biographical account and textual analysis, in a tone free of jargon and pedantry, seeking not to ride a thesis but rather to open Auden's works to us more fully. Unlike so many self-important literary scholars, who seem compelled to assert their superiority to their subject, Kirsch renders himself nearly invisible. He never tries to compete with the eloquence of Auden, being content to provide us with the most spare and functional prose, designed mainly to frame and showcase the book's copious quotations from the poet himself. His quiet sympathy has but one purpose: to draw the reader back to the texts and their author.

In some respects, Auden's theological orientation and reflections are emblematic of a particular historical moment, the mid-20th-century decades when the cataclysms of world war and the thwarting of the progressive faith led so many serious, secular-minded Western thinkers to reconsider the claims of the Christian intellectual tradition, even down to the forbidding doctrine of original sin.

Auden himself believed he had rejected the Christian faith as a young man, but gradually found himself drawn back to it, partly in reaction to the brutal political realities emerging in the late 1930s, especially the rise of Nazism and the closing of the churches in civil war Spain, both of which shocked and dismayed him, and challenged the hold of left-progressive pieties. His chronic and tortured unhappiness in love also surely influenced him, as did an impressive encounter with the Anglican writer Charles Williams, who introduced him to the work of Kierkegaard and provided him a shining example of an accomplished intellectual who was also a thoroughgoing Christian.

But the questions that ate at him went much deeper than the mere matter of role models. How did one explain the destructive recalcitrance of the human heart, including one's own? How did one find a way to live decently within the content of a world, and a life, that seemed beyond redemption?

Such questions were never far away, and one can already begin to see the beginnings of a Christian reckoning with them emerging quite consciously in "As I walked out one evening" (1937): "Life remains a blessing / Although you cannot bless. . . . You shall love your crooked neighbor / With your crooked heart"—the term "crooked" here carrying, of course, meanings both personal and general. By 1940, the time of his famous "September 1, 1939," he had formulated his own concise distillation of the conundrum of original sin: "For the error bred in the bone / Of each woman and each man / Craves what it cannot have / Not universal love / But to be loved alone."

There was a general intellectual excitement in those days about emerging works of serious theology, particularly Protestant theology, excitement that is hard to imagine today. Auden read widely in that literature, particularly in the works of his good friend Reinhold Niebuhr, as well as Paul Tillich, Karl Barth, and the other theological lions of the first half of the 20th century. But he was no theologian. He always seemed to feed on such works in an opportunistic spirit, having a poet's insouciance about the truth claims of systematic theology or apologetics and, indeed, for nearly all dogmatic assertions about questions of religion. Such theological reading chiefly served to replenish his fund of metaphors and similes. But in the end, he was convinced that all ratiocinations and speculations about God's nature were arrogant assumptions and empty human pretensions, merely learned ways of "taking His name in vain." Instead, he believed the worthiest Christians were those who remained perpetually humble and perpetually uneasy in their outlook, their minds stretched taut between the contrary poles of belief and skepticism.

"Our faith," he insisted, must be "well balanced by our doubt," for a Christian "is never something one is, only something one can pray to become." Christianity was a "way," a way of being in the world, not a set of intellectual propositions or a moral checklist or a map of all reality.

Such intellectual modesty helps explain the enduring appeal of his native Anglicanism, particularly in its high-church Anglo-Catholic form, precisely because it stressed "uniformity of rite" more than "uniformity of doctrine." It placed the elegant formal language of the Book of Common Prayer, and the spectacle of highly ritualized and impersonal sacramental corporate worship, at the center of things, and left private devotions and personal piety to the discretion of the individual, without much instruction or guidance or other moral busybodying from the Church itself. Light on doctrine and preachiness, heavy on smells and bells: that was the ticket for him. He had adored ritual from his youth, and even during days as a freewheeling vagabond leftist, he retained an ingrained tendency in that direction.

As his friend and collaborator Christopher Isherwood mused in

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1937, "When we collaborate, I have to keep an eye on him. . . . If Auden had his way, he would turn every play into a cross between grand opera and high mass."

The needs behind that tendency went very deep. The structure and aesthetics of high Anglican worship were so agreeable to him, not for snobbish or campy-gay reasons, but precisely because they best embodied the pattern of impersonal dramatic repetition that he so desperately needed, the patterning that made it possible for the act of worship to be, for him, an act of personal re-integration.

"Only in rites," he would say, "can we renounce our oddities / and be truly entired." Only by yielding the chaos of his inner disorder to the controlling order and harmony of liturgical space and time could he be made whole. The idea that worship should be an act of spontaneous personal outward expressiveness, directed toward God and toward one's fellow congregants, could not have been further from his heart. On the contrary, he liked to insist, "orthodoxy is reticence," the form of reverence that is too reverent and tasteful to speak its name, at least not very loudly or often.

The irony in that formulation is that while Auden may have been reticent, at least in preferring to share his faith with others in an impersonal way, he certainly was very far from being orthodox, by anyone's reckoning of that term. There have been few more finicky grazers in the cafeteria of Christianity. He was skeptical of the idea of the virgin birth of Jesus, let alone the Catholic doctrine of the Immaculate Conception of Mary, which he dismissed as an errant effort to make the Jewish Mary into an honorary Aryan. He had no interest in questions of eschatology or the afterlife, insisting that Christianity was primarily a this-worldly faith.

He was, like Simone Weil, transfixed by the sufferings on the Cross, and thought of the Crucifixion as something perpetually reenacted in the imaginations of believers, who were forced to see their own sins in the passions of the murderous crowd. But he was indifferent to the victorious Resurrection. Indeed, although he was quite willing to believe in miracles, he doubted whether the resurrection of Jesus Christ ever actually occurred.

Needless to say, then, Auden's grasp of the doctrine of the trinity was equally idiosyncratic; in later life, he became a devotee of the Patripassian heresy, which posits that God the Father shared fully in the suffering of Christ the Son, an assertion that, in effect, erodes the distinctness of the two. And perhaps most outrageous of all, he declared, in a sermon delivered at Westminster Abbey in 1966, that the great theological statements of the Church, such as the Athanasian Creed, were best understood as "shaggy-dog stories," which "have a point but if you try too hard to put your finger on it, you will miss it."

Your guess is as good as mine as to what he meant by that, and Kirsch doesn't seem to know, either. But it sure doesn't sound like orthodoxy.

All these deviations from orthodoxy had something in common, however. They all flowed from Auden's passionate belief that Christianity, rightly understood, was the truest of the great world religions because it consistently affirmed the flesh. The doctrine of the Incarnation, that the Word became Flesh and dwelt among us, was the font of all his Christian inspiration. Any ideas or doctrines that disparaged the body and its functions, exalted the idea of disembodied spirit, or that required the faithful to withdraw from the world to be holy, were anathema to him.

Devotion to God should be ever-present, but should not crowd out our appreciation of the fleshly world given us; instead, such devotion should be the *cantus firmus* of our lives, against which we play the sweet and sad counterpoint of our lives and works. Manicheanism and Platonism and Gnostic heresies were frequent targets, precisely because of their flesh-denying propensities, which fell short of the full Christian vision. So, too, did pure scientism or naturalism. The Incarnation meant, for Auden, "the coinherence of spirit and flesh," so that "materialism and manicheanism are mirror images of one another," the one by denying the spirit, the other by denying the flesh.

The flesh and spirit were in perpetual tension, yet they were also meant to be conjoined. As he wrote in 1963, "Our bodies cannot love: / But, without one, / What works of Love could we do?"

He could carry this kind of analysis to considerable lengths. In *The Sea and the Mirror*, his poetic gloss on Shakespeare's *Tempest*, Auden thought that the brutish Caliban ought to be seen as the coequal of the ethereal Ariel, and that the wizardly Prospero ought not to be exalted for his gifts, since doing so raised Spirit above Nature. Auden was insistent: Man was both a biological organism subject to the contingencies of Nature, and a spiritual being capable of transcendence.

Nor was this tension the only one that Auden sought to hold in place. The dualities of his mind and heart were as thickly and tightly strung as the inner frame of a concert grand. Like so many thinkers of the postwar era, in fields as diverse as political science, economics, and history, he was an equilibrist and contrapuntilist, who nearly always saw the optimal conditions for human flourishing as arising out of the interplay of countervailing forces, the tension of opposites.

The conflict between faith and doubt, for example, reflected two equally necessary facets of a complex singularity. A similar conflict was reflected in the tension between Catholic and Protestant, with the former emphasizing "the initial act of intellectual assent" and the latter "the continuous process of voluntary assent," arrived at through uninhibited self-questioning, and even the *felix culpa* of a descent into unbelief—a going-away for the sake of a more voluntary return. Without each other, the picture was incomplete: Catholics were in danger of complacently identifying the eternal with some particular institution, while the Protestant was in danger of ignoring institutions altogether, leaving the eternal disincarnate, and

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conceiving of religious life as a heroic individual quest.

But it was difficult to hold all these tensions in place at once. The famously creased and worry-worn Auden face—which he himself described as looking like an "unmade bed," and which as he grew older came increasingly to resemble a relief map of Nevada—perhaps embodies the difficulty of living one's life stretched out on the rack of opposites. There is an existential problem with seeing all of reality as a dense network of contrarieties, above which you stand, the heroically critical modernist intellectual who refuses to join any particular team.

What it means, in effect, is that you have chosen to be entirely alone. In fact, Auden lived a life of extreme isolation and often desperate loneliness, tortured with the thought that "there will never be a place which I can call home," and "never be a person with whom I shall be one flesh."

Whether that isolation was a choice made or a curse endured, how much of it can be reduced to Auden's ambivalence about his homosexuality—and the ways that ambivalence played out in his time and place and milieu—are questions that this book cannot answer. What is clear, however, is that Auden's sexuality was one among the many tensions that he was forced to manage somehow; and that he took considerable solace in the speculation that St. Paul's plaint of a "thorn in the flesh," which was both a curse and a blessing, might refer to the same thorn as his own.

Yet it is also clear that Auden himself would never have reduced his art to his thorn, and neither should we. For all his Anglican flourishes, he was in deepest temperament and conviction a modernist Protestant of the most extreme and Kierkegaardian variety. With him, the essential and ultimate solitude of the individual person was not only a personal theme but a cosmic principle.

"Each of us," he told a commencement audience at Smith College, must accept "the fact that in the last analysis we live our lives alone. Alone we choose, alone we are responsible." One can see why, for such a man, worship with a strong emphasis upon liturgical and sacramental life had such an appeal, precisely because it provided a formalized and impersonal way of connecting with others, a way of being together with them without letting down the veil of reticence, and yielding up any portion of his compulsive individuality.

But Arthur Kirsch helps us to see that Auden had his own peculiar orientation to the Christian life, one that, by choosing to confuse reticence with orthodoxy, and closing him to the simplest forms of religious fellowship, may have made him more isolated than he needed to be. Whatever the case, we can close *Auden and Christianity* convinced of the truth in its final sentence: "Auden was a great poet and critic, but he should also be remembered, and would have wished to be remembered, as a man who sought to lead a Christian life."

No one ever said that leading such a life was neat and easy, and Auden's record of his struggle to do so may be the greatest and most encouraging of his gifts to us. ♦

Rothko on Rothko

Or, Why artists should paint, not write.

BY HILTON KRAMER

The American painter Mark Rothko (1903-1970), whose *Writings on Art* is now published in an austere, unillustrated edition, was one of the most remarkable artists of his generation: the Abstract Expressionist generation that changed the course of modern Western painting.

Writings on Art
by Mark Rothko
Edited by Miguel Lopez-Remiro
Yale, 192 pp., $25

He was also one of the most troubled artists of his time—a man at odds with society, with his fellow artists, with his medium, and, most tragically, with himself. Tragedy—in the Ancient Greek sense—was, indeed, the kind of exalted achievement that Rothko fervently aspired to in his painting. Yet it was his fate, in the mundane realm of modern earthly life, to become a casualty of his own tragic illusions. The grandest of these illusions—and the most difficult to countenance—was his insistent claim that he was not in any sense an abstract painter.

It was a claim that, inevitably, baffled the public, infuriated the critics, and left many of his cohort in the Abstract Expressionist movement wondering what he was talking about. After all, they had risked a great deal in abandoning the safe haven of representational painting for the unknown consequences of this plunge into abstraction. Yet here was one of their most esteemed fellow abstractionists insisting that he had never been an abstract painter—and he underscored the point by ridiculing certain types of abstraction that were unlike his own.

What has to be understood about this insistent mischaracterization of his own work is that Rothko's thinking was not only deeply subjective—the same could be said of many artists—but that, in his case, the artist's fundamental beliefs were also radically solipsistic. For Rothko, the self and its attributes, real or imag-

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ined, were the primary constituents of reality. What existed beyond the self was scarcely more than a featureless void. And if others did not see in his paintings what he claimed to see, that, too, hardly mattered. After all, wasn't the entire history of modernist art a chronicle of its miscomprehension by the public and its critics?

This was anything but a ruse or a pose. Rothko firmly believed in the reality of the "subjects," "figures," and "things" that he attributed to his abstract paintings. "There is no such thing as good painting about nothing," he proclaimed. "We assert that the subject is crucial and only that subject is valid which is tragic and timeless."

In the heyday of Rothko's success, from the late 1940s to the '60s, when his command of color was at its peak of achievement, at once highly seductive and spiritual in feeling, claims of this sort could be more or less taken in stride. It was when he began to claim that "my new areas of color are things" and that "the shapes in the later canvases were new substitutes for the figures" that a certain skepticism began to be felt about all the later work, and skepticism turned into sheer bafflement and rejection when he insisted that the abstract shapes *were* figures, adding that "abstract art never interested me; I always painted realistically. My present paintings are realistic. . . . I am not a formalist."

Of course, it is not uncommon for artists to believe that their work is misunderstood. But it is nonetheless rare for an artist of Rothko's stature to make such a public display of his incomprehension of his own accomplishment. As I am not in the business of psychoanalyzing the minds of the painters I write about, I shall not attempt to explore the causes of Rothko's curious predicament. Suffice it to say that Rothko's pictorial talents were far greater than his intellectual command of what those talents produced, and his work will continue to be admired long after his muddled account of their alleged meaning has been forgotten. ♦

Burning Atlanta

The Reagan Revolution did not begin on Peachtree Street. **BY JOSEPH M. KNIPPENBERG**

As a conservative who happens to live in the Atlanta metropolitan area, I was quite curious about a book that promised to explore the role of my adoptive hometown in "the making of modern conservatism." I wondered what the author had in mind since, so far as I knew, no seminal "modern conservative" thinker or pioneering "modern conservative" political leader had his roots in Atlanta. Newt Gingrich is surely an interesting and important figure, but not even he would call himself a "maker of modern conservatism," presumably deferring to men like Barry Goldwater and Ronald Reagan, not to mention the intellectuals so responsible for shaping the various schools of thought that comprise "modern conservatism."

White Flight
Atlanta and the Making of Modern Conservatism
by Kevin M. Kruse
Princeton, 352 pp., $35

As it turns out, Princeton historian Kevin M. Kruse and I have very different views about what constitutes modern conservatism. For Kruse, modern conservatism is the ideological superstructure built upon "the politics of suburban secession," which, in turn, simply represents a new and more sophisticated version of old-fashioned racism. What began as raw and unadulterated resistance—"massive" or otherwise—to integration became, in the crucible of conflict, "a new conservatism predicated on a language of rights, freedoms, and individualism." Leading themes of contemporary conservatism—like school choice and privatization—have their roots, Kruse argues, in 1950s Atlanta, where whites both defended "their" neighborhoods and sought every way possible to avoid interacting with African-Americans in the public sphere.

Despite our notorious civic boosterism, we Atlantans will likely resist the temptation to take pride in the central place Kruse gives our city in his narrative. Atlanta is important, he contends, not because it is "everycity," a paradigmatic case simply emblematic of struggles taking place across the country, but because it was Ground Zero in the confrontation between the civil rights movement and segregationists—a dubious honor we're only too happy to cede to Birmingham, Montgomery, Selma, or Little Rock. While certainly the home of the King family and the Southern Christian Leadership Conference, Atlanta, Kruse inconveniently reminds us, also served as headquarters for a time of the Ku Klux Klan, as well as the home of "a number of the South's leading segregationists . . . including Eugene and Herman Talmadge, Marvin Griffin, Calvin Craig, and Lester Maddox."

Yes, but—this is only the first of a number of occasions on which Kruse overreads his evidence. Every Georgian will tell you that there has, since time immemorial, been an enormous difference between Atlanta and the rest of the state. The Talmadges and Griffins are actually rural Georgians, living in Atlanta only because the Governor's Mansion is there. And like many Georgia politicians of that era, their bread and butter was running against the big city. To say that their segregationist leadership somehow

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bespeaks Atlanta is misleading. We're then left with the undeniably Atlantan Lester Maddox and Calvin Craig, a 1960s-era KKK Grand Dragon, neither a figure of national stature and only Maddox of arguably regional significance.

Once you look a little more closely at the evidence, Kruse's argument for the centrality of Atlanta begins to diminish. Atlanta may be paradigmatic, but it's not obviously nationally influential. The booster in me heaves a sigh of relief.

Kruse's portrait of the (perhaps exemplary) racial conflict in Atlanta is interesting and certainly adds to our understanding of the city by shining a light on some understudied facets of its recent history. Most accounts of Atlanta begin from Floyd Hunter's seminal work, *Community Power Structure* (1953), which provided a detailed glimpse into the informal elite networks that undergirded the formal governmental structure. Clarence Stone's *Regime Politics* (1989) updated Hunter's argument and demonstrated how the white business elite had sought, and often found, interlocutors in the African-American community. More popular histories, like Gary Pomerantz's *Where Peachtree Meets Sweet Auburn* (1996) and Frederick Allen's *Atlanta Rising* (1996) maintain their focus on the black and white elites, emphasizing their cooperation, and situating racial conflict in its context and at the margins.

To his credit, Kruse strikes out on a different path, focusing first on the working-class whites whose harsh and overt racism contributes only the occasional jarring note in the other accounts. Thus, we learn more than perhaps we wanted to know about the unabashedly fascist Columbians, who in the immediate aftermath of World War II briefly purported to represent whites in their struggles to defend their neighborhoods against African-American encroachment. Kruse offers a genealogy of white resistance to integration that begins with the Columbians, continues through the KKK, and culminates in much more "respectable" appeals to the middle class. He describes in great detail the ways in which particular neighborhoods responded to the efforts of black homebuyers and "realtists" (the standard term was then available only to whites).

When overt racial hostility didn't work, it was replaced by appeals to defend "home, neighborhood and community." When communal solidarity couldn't withstand the pressures of the marketplace, appeals to individualism and choice came to the fore. The reader is left with the impression that because race and racism are the engines animating almost all political behavior, thought, and speech in the Atlanta of the 1940s, '50s, and early '60s, all the political arguments are merely opportunistic, chosen or invented to serve this deeper need.

If you want to believe that conservatives are essentially racist, you may be persuaded by Kruse's account; but there are so many holes in it that a skeptic is certainly entitled to remain skeptical. Take, for example, the aforementioned genealogy. It is, in the first place, striking that the authorities went to great lengths to suppress the Columbians and the KKK. To be sure, "moderates" were behind this suppression, but Kruse's account leaves us wondering whether these groups were ever anything more than marginal. He never offers any evidence of direct lines of influence from the more overt to the more respectable "racists." Instead, his story simply encourages us to draw the conclusion that there must be a connection because, after all, these are whites confronting blacks over the issue of residential segregation. Given the context, anyone who defends neighborhood integrity must be a racist.

Furthermore, since in Kruse's story the roots are supposed to be revealing, we're invited to draw a line from the Columbians ultimately to suburban neighborhoods today. Leaving aside the class differences—Kruse himself often isn't clear as to whether his subjects are working class or middle class, and uses that confusion to advance his argument—it is quite clear that most Atlanta suburbanites (roughly half of whom have arrived in the metropolitan area since 1980) have no idea what went on in neighborhoods they have never heard of in the decade or two before they were born.

If they care about community integrity, it has nothing to do with what happened in Adair Park in 1955. Likewise, if they apotheosize individual choice, it's not as a response to the failure of the defense of community integrity in the 1950s. Rather, like those onetime Atlantans, they make use of, or are persuaded by, arguments that are in the air, an integral part of American political culture. That they use language and ideas also appropriated by people who may well have been racially motivated doesn't make them racists.

Indeed, Kruse's own argument makes use of the terms he tries to tar by their association with racial appeals. When working-class Atlantans sought to advance "communitarian" arguments to rally support for their white neighborhoods, Kruse tilts in the direction of the free market. When, in response to the working of the market, those white Atlantans fled to the suburbs, he blames them for evading their communal responsibilities. If Kruse can appeal to community without necessarily being a racist, so can anyone else. If Kruse can (within limits) celebrate the virtues of the marketplace without necessarily being a racist, so can anyone else.

If the arguments and positions are themselves free from essentially racial underpinnings, everything then turns on the direct personal connections and lines of influence. But where you would expect Kruse to offer them, they're not forthcoming. This is clearest in his discussion of Howard "Bo" Callaway, who, in 1964, became the first Georgia Republican elected to Congress since Reconstruction. Kruse calls Callaway "a staunch segregationist in his own right" and asserts that he and Lester Maddox (his opponent in the 1966 gubernatorial campaign) "were virtually indistinguishable in their politics." The evidence? Callaway

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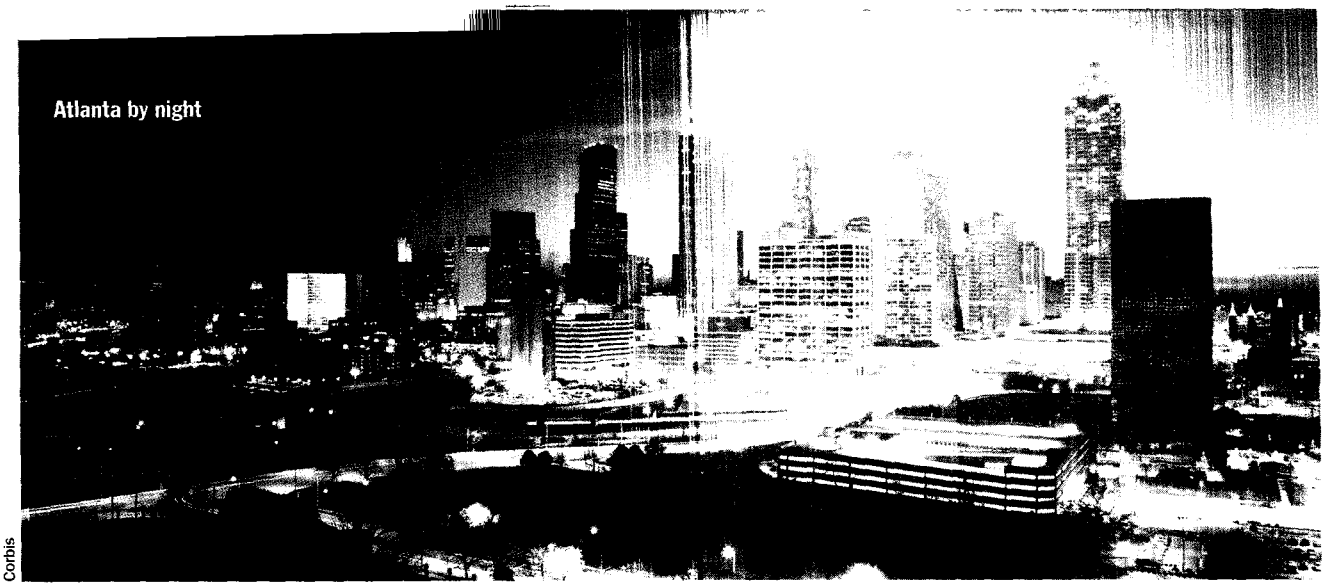
Atlanta by night

Corbis

said that "'God, the individual, and free enterprise' were the three ideals for which he stood," a "statement which could easily have come from his opponent." This is breathtaking. It would seem that otherwise neutral language appropriated by a racist becomes racist language. I can't believe in God without being a racist? I guess all those African-American preachers ought to abandon their pulpits, lest they, too, be accused by Kruse of guilt by association.

Properly not satisfied with this slender evidence, Kruse tries to offer more. Callaway's racism is said to be demonstrated by the zero he earned from Americans for Democratic Action, and by statements from two of his political opponents to the effect that he was too slick to avow his real views on race. Last I heard, we were entitled to doubt and discount politicians' statements about the views of their opponents, but since Kruse can't find a smoking gun, he has to make do.

But wait, there's more: "[T]he rise of southern Republicanism, in the person of Bo Callaway and others like him, was largely due to the white backlash against the Civil Rights Act." The evidence for this is supposed to be Barry Goldwater's success in the South. But Goldwater's own position, even as described by Kruse, is complicated: Not only did he regard Maddox as a "Stone Age" figure, but he also had no objection to—indeed, favored as "wise and just"—integrated schools, simply denying that the Constitution permitted federal intervention in the field of education. This is not a racist view, unless anything that favors limited government and strictly construing the Constitution is, by definition, racist. But that's assuming what Kruse set out to prove.

Of course, many southern whites did, indeed, support Goldwater. Some were likely racists, as were some who voted for Lyndon Johnson. George Wallace took votes from *both* parties in 1968: The Republican presidential vote in Georgia dipped by almost 230,000 from 1964 and the Democratic vote by almost 190,000. Still, offered a frankly regional and racist appeal four years later, 388,000 conservative Georgians eschewed it and voted for Richard Nixon instead. To say that they're almost all, nevertheless, racists is to assume what you have to prove.

Arguing for a position for which there is little or no direct evidence, Kruse has a tough row to hoe. Those darn Republicans and conservatives simply didn't use overtly racial language in ways that could easily be documented. We're left, one might say, with their behavior. They populated and continue to populate the suburbs (as, even in Atlanta, do a substantial number of liberal Democrats). They resisted and continue to resist incorporation in large metropolitan communities. Kruse would have us believe either that the racial motivation for this behavior hasn't changed since the early 1960s, or that both the behavior and its justifications are tainted by a racist past. Any position once taken by a racist, any argument once made by a racist, ought to be unavailable to any right-thinking person, even if there are perfectly good nonracist grounds for holding the position or making the argument.

Take Kruse's "suburban secession," which, in Atlanta, had its roots in "white flight." Were suburban sprawl historically and currently associated only with racial divisions in the United States, he might have a point. But sprawl is, for better or worse, a global phenomenon, even where racial divisions and tensions were never part of the picture. What's more, like everyone else, when they were afforded the opportunity, African Americans fled to the suburbs, too. There are plenty of reasons why anyone might choose to do so—more space, larger, newer homes (often at better prices), better schools, greater apparent security. These may be mistaken or misguided choices, but they're not driven by race.

But, Kruse might respond, what distinguishes American suburbs from their counterparts elsewhere is their political, moral, and social disconnection from the metropole, or central city. Fair enough: metropolitan government is a tougher sell here than elsewhere. But the reasons for it are not obviously racist, except in Kruse's special sense: That is, they may once have been offered by racists, who appropriated them from the larger political culture.

Most suburbanites prefer not to render themselves vulnerable to the redistributive policies often associated with metropolitan government, not to mention the higher rates of taxation that often follow. Selfish?

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Perhaps. Racist? No. Most suburbanites would prefer neighborhood schools rather than the cross-town, cross-county, and cross-metropolitan programs called for by the most ambitious integration schemes. These are parents following their natural instincts to care for their children, and black parents demonstrably feel the same way, in many cases going so far as to favor another of Kruse's "racist" policies, education vouchers or school choice.

As a spate of recent efforts to charter new cities in Atlanta's suburbs suggest, suburbanites favor local political control over county, let alone metropolitan, government. Kruse would explain it all in terms of overt, covert, residual, or "objective" racism, but my friends and neighbors have a different view: What they perceive is a county government indifferent to their local concerns about untrammeled commercial growth, residential density, and traffic congestion. It's not race, it's quality of life.

Kruse's gospel of suspicion would lead to the conclusion that, avowed or unavowed, it's race. But he can only assume it, not prove it, especially in regard to the baby boomers and transplants who populate Atlanta's suburbs, not to mention those of Nashville, Charlotte, Houston, and, if you will, Chicago, Minneapolis-St. Paul, or Los Angeles.

This isn't to say that Kruse's argument doesn't have some rhetorical strength, regardless of the tenuousness and tendentiousness of its analysis. The genealogy of "modern conservatism" is intended to make "right-thinking" people shy away from opinions and positions once held by racists. If Lester Maddox once believed in "God, the individual, and free enterprise," then, by golly, I should probably rethink my own positions. Well, maybe not.

But those on the other side of the spectrum can go to bed confident that, even if they're losing elections, they're morally superior to those conservatives who are really just dressed-up racists. As someone once said, "Good night, and good luck." ♦

Old Hickory

What America owes to our seventh president.

BY CHRISTOPHER LEVENICK

Americans tend to remember heroes in one of two ways. First are those for whom apotheosis limns the memory: George Washington and Martin Luther King are usually spoken of in hushed and reverential tones. Such men seem not to have been born, but descended from above; their every gesture, every word, appears perfectly preordained. Those of the second type enjoy similar respect, to be sure; but their memory somehow retains the incidents of actual flesh and blood. One strains to imagine Theodore Roosevelt without bully and bluster, just as one can hardly conceive of Abraham Lincoln without homespun laughter giving way to deepest agony.

Andrew Jackson
His Life and Times
by H.W. Brands
Doubleday, 640 pp., $35

Andrew Jackson belongs to the latter type, as H.W. Brands makes clear in this lively biography of the seventh president. Jackson packed an awful lot of living into his 78 years. Conflict seemed to find him, and he seemed incapable of walking away. Renowned for his utter ruthlessness towards those he hated, he was equally capable of heartbreaking tenderness towards those he loved. He could lay waste to a Creek village, slaughtering its inhabitants and torching its winter stores, only to take pity on an orphaned Indian boy, adopting him on the spot.

Nowhere were Jackson's all too human attributes more plainly visible than in the aspersions his many enemies heaped upon him. For wedding his true love while she was still legally bound to another man, they called him a bigamist. For his rustic manners, they called him an idiot; for his horses, a gambler; for his gin, a tippler; and for his politics, a Bonaparte. And always they called him a savage, no less for his exploits in battle than for his repeated indulgence in the recreational bloodsport of dueling. (Jackson remains the only president known to have killed a man in cold blood.)

Calumny, however, did little to detract from Jackson's popularity. Farmers and laborers throughout the fledgling republic could relate to someone who enjoyed no advantage of birth, who arrived in the world dirt poor and won all he had through his own relentless efforts. He was a blunt man with a stern sense of honor, but to his supporters he seemed to embody the quiet dignity of the free citizen. Honor, they knew, had led Jackson into battle at age 13, when he joined an irregular patriot militia during the Revolutionary War. Captured after a vicious firefight, he was sent to a prisoner of war camp, where he survived the ravages of smallpox—only to watch the disease later wipe out the rest of his family.

Hardship served only to galvanize the steel in Jackson's spine. In peacetime he practiced law, and rapidly ascended to the uppermost tier of Tennessee politics: the state's first congressman, then a senator, then a justice of the state supreme court. But Jackson remained a military man at heart, and when the opportunity arose he gladly accepted command of the Tennessee militia. Better than anyone, he understood the strategic importance of the

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western frontier, and when a second war with Britain erupted, he led the fight against redcoat-allied Indians. Both sides engaged in wholesale butchery, but Jackson decisively broke his enemies at the Battle of Horseshoe Bend.

In an increasingly unpopular war, President Madison recognized the general's increasing popularity. He asked Jackson to assume military responsibility for the entire Gulf Coast theater—at precisely the moment Britain was amassing an invasion force in the Caribbean. Jackson correctly guessed that New Orleans was the object of Albion's eye, and on a field south of the Crescent City, his vastly outnumbered, ragtag army prepared to face hardened veterans, men who had defeated Napoleon in the Peninsular wars. Yet, when the smoke cleared, thousands of Englishmen lay dead or dying—including three generals, one of them the Duke Wellington's brother-in-law—against a couple dozen American dead.

Jackson was instantly a national hero, and before long Old Hickory was being spoken of as presidential timber. These sentiments were bolstered by Jackson's suppression of a Seminole uprising in Spanish Florida, a feat that helped convince Spain to sell what it could not keep. As President Monroe's second term wound down, Jackson emerged as the frontrunner in the election of 1824. He placed first in the popular vote and, more important, the electoral college; but he lacked a clear majority, and the outcome was turned over to the House of Representatives. Henry Clay engineered the victory of John Quincy Adams, and, not coincidentally, soon found himself appointed secretary of state.

The will of the people could be delayed but not denied. Jackson handily won the election of 1828, and was reelected by a wider margin still. He saw himself as a champion of the people, and acted on that confidence as he regularly vetoed legislation and all but overruled Supreme Court decisions. Believing that nobody was entitled to a government job, he fired and replaced hundreds of time-servers throughout the federal bureaucracy. Believing that government should not be a means for the wealthy to become rich, he revoked the charter of the Second Bank of the United States. Believing debt disgraceful, he paid off the national deficit. Even after his retirement, Jackson remained deeply involved in politics, working to secure the annexation of Texas until his dying days.

Writing a satisfactory account of Jackson's life requires more than a touch of good storytelling. Personality looms so large, emotion runs so high, that if the biographer wants to do justice to the subject, he simply must master the craft of historical narrative. On this count, Brands acquits himself magnificently. He has a fine sense of the drama of the past, and a novelist's appreciation for character and pacing and plot. Brands thus belongs to the same historical school as David McCullough and Joseph Ellis, the mention of whose names causes tongues to cluck at faculty clubs nationwide. But it is a school with a long and distinguished pedigree, whose alumni—Thucydides and Tacitus, Gibbon and Bancroft—all were able to combine chronological narrative with perceptive analysis and literary flair.

Such writing requires overarching and unifying themes, some bright red threads stitching the work together. For Brands, the key to understanding Jackson is recognizing that the Tennessean saw life as a never-ending battle for survival. In this war of all against all, Jackson kept his loyalties few and fierce. His devotion to his wife thus mirrored his devotion to the United States: Both offered security against a cruel and violent world. In return, Jackson cherished a love of each that was tribal, bordering on primal.

This is true, but not the whole truth. This focus on emotion and passion inevitably downplays Jackson's quite genuine moral sensitivity and intellectual ability. Presenting him as the ever-embattled warrior has the unfortunate effect of flattening the man, virtues and vices alike. Several critics have noted that Brands's approach brushes over Jackson's gravest faults—his cruelty towards Indians and indifference towards slavery—but it also undercuts his many qualities, among which was a profound understanding of, and appreciation for, the Constitution.

A good example may be found in Jackson's handling of the 1832-33 Nullification Crisis. South Carolina exploded in fury over a set of new tariffs, thinking it unconstitutional to favor northern manufacturers at the expense of southern planters. A special convention passed an ordinance that forbade collecting the impost within the state, and announced that the states retained sufficient sovereignty to veto the laws of the Union. The principal spokesman of this new theory was none other than Jackson's own vice president, John C. Calhoun. An enraged Jackson prepared to enforce the law with bayonets.

But at the same time, a more deliberative Jackson, greatly assisted by Secretary of State Edward Livingston, composed a stunning refutation of the idea of nullification. He corrected its misrepresentation of history, at length, but landed his most devastating blows pointing out the "internal evidence of its impracticable absurdity." The logic of the federal union, like that of democracy itself, entails that within the ordinary political process, the majority rules. To grant a minority an unchecked and absolute veto is a prescription for anarchy. Jackson's argument against nullification substantially presaged Lincoln's argument against secession, and it proved so thorough that when the Supreme Court visited the matter a quarter-century later in *Texas* v. *White*, it largely rehearsed the argument of Jackson's proclamation.

Yet if Brands underplays the extent to which reflection and choice informed Jackson's devotion to the Union, he does so to keep his spirited narrative charging forward. It is a tribute to him that this book's 600 pages read so quickly, and Brands deserves credit for providing a welcome new introduction to the life of a neglected American hero. ♦

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Upside Down

It's 'The Poseidon Adventure' without Shelley Winters.

BY JOHN PODHORETZ

Of the thousands of films I've seen in my life, the one that had the greatest impact was, of all things, *The Poseidon Adventure*. I was 11 years old when I first saw it during its initial release in 1972, and it haunted me for years.

The Poseidon Adventure was, of course, the most enduring entry in a peculiar sub-genre that became wildly popular in the 1970s: the disaster film. As America seemed as though it was going down the tubes, American movie audiences thrilled to the spectacle of their countrymen desperately trying to find their way out of burning buildings, flee earthquakes, escape the impact of a meteor shower, and cope with hijackings that blew a hole in the plane, or ended with a 747 sinking to the ocean floor.

Poseidon
Directed by Wolfgang Petersen

The reason *The Poseidon Adventure* had such resonance for me and many others wasn't that it was the first disaster movie. That would be *Hotel*, a 1967 film in which 12 people are stuck in an elevator that threatens to careen down a shaft and get smashed to bits. Nor was it the most celebrated, as *Airport*, which shared its origins with *Hotel* in the imagination of trash novelist Arthur Hailey, was nominated for 10 Oscars in 1970. No, *The Poseidon Adventure* grabbed hold of me because of the stark question it poses to its audience: How would you act if you were forced to confront a calamity that put you to the ultimate test?

The Poseidon is a cruise ship that is hit by a tsunami on New Year's Eve. The wave literally upends the ship, and the "adventure" of the title is the journey taken by 10 survivors of the disaster, who figure out that the only way out is to climb. Since the ship is upside down, this means they must actually make their way upwards to the bottom of the ship, the only part of the Poseidon that is still above the water line.

The Poseidon Adventure is no great shakes in the acting, characterization, or dialogue departments. The survivors are all walking clichés—a lovable pair of Brooklynites, a couple of annoying kids, a hip priest, and a retired cop. But there's one thing about its characters that sets them apart from the hundreds of extras who share the screen with them at the movie's beginning. They are all resourceful, brave, and cool under pressure, despite the extreme danger and seeming hopelessness of their plight. The extras, by contrast, scream and cry and run around in abject terror. Like lemmings, the extras follow the impotent counsel of the ship's captain, who tells them to stay where they are. We watch them all die a few minutes later, after the hardy band of adventurers has begun their ascent to the surface. Over the course of the film, each of them is forced to face a terrible fear and perform feats of endurance that are seemingly beyond his capacity.

Who are you? I asked myself repeatedly. *Would you keep your wits about you and survive, or would you panic and die?* Over the years, I've discovered that my *Poseidon Adventure* obsession wasn't unique. For American males around my age (I'm 45), the "survival of the bravest" theme seemed to hit home, as the existence of the popular Internet feature called the "Poseidon Adventure Personality Quiz" suggests.

This week brings a remake of *The Poseidon Adventure* that is shorter, both in length and in title. *Poseidon* is a zippy piece of work, only 99 minutes long, exciting and ghoulish. My guess is that director Wolfgang Petersen spent all kinds of time setting up the characters and the conflicts between them before the disaster strikes, and then just decided to cut all that in the editing room so he could get to the destruction as quickly as possible. To be fair, the movie's speed has great advantages. Since all disaster movies feature inadvertently hilarious dialogue, this one included, it makes sense to eliminate as much of the talk as possible to keep *Poseidon* from turning into camp.

Still, we barely register that Kurt Russell's character is basically supposed to be Rudy Giuliani. And we can't make much sense out of the amazing heroics performed by a selfish professional gambler named Dylan (Josh Lucas). Dylan is clearly modeled on Rick from *Casablanca*, but because the movie dispenses with character details, he travels from selfish to self-sacrificing without ever passing Go and collecting $200.

It turns out that there was something about the laborious setup of the first movie that helped make it memorable. The characters may have been silly and their exchanges ludicrous, but at least to one 11-year-old, their plight was very vivid. I doubt any 11-year-old today will lose a moment's sleep thinking about *Poseidon*. It's a thrill ride of a movie, which is just fine. But that awkward, slow behemoth called *The Poseidon Adventure*, which was in many ways worse than its remake, remains the more memorable and formidable picture. ♦

John Podhoretz, a columnist for the New York Post, *is* THE WEEKLY STANDARD*'s movie critic and author of the forthcoming* Can She Be Stopped?

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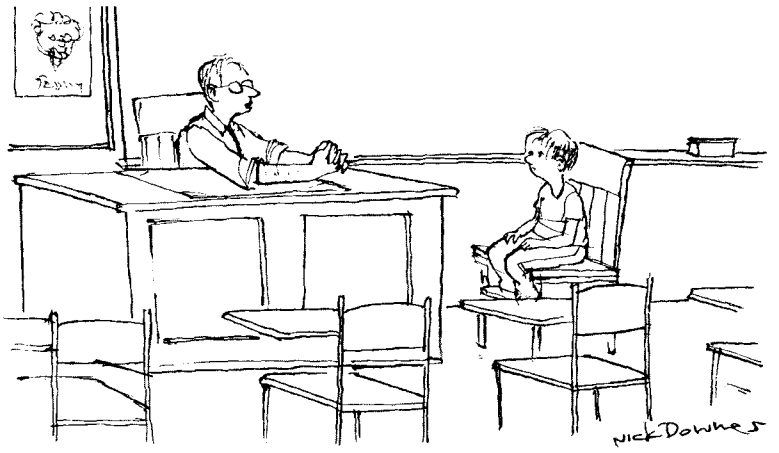
The Standard Reader



"Luckily for you, Tommy, your Dad's alleged Mob ties will keep me from giving you the grade you really deserve."

Books in Brief

The Covenant with Black America **edited by Tavis Smiley (Third World Press, 254 pp., $12.00).** This shrill bit of agitprop that purports to be a manifesto of what-black-Americans-need-and-deserve has generated a lot of undeserved buzz. Radio and TV talk-show host Tavis Smiley prevailed upon a number of fellow blacks who are experts in one field or another to contribute a chapter each on a variety of different public policy issues: health care, education, criminal justice, voting rights, housing, jobs, and so forth. Each chapter begins with an essay by the expert, followed by a table of "facts," lists of what the community and individual African Americans can do, vignettes of successful local initiatives already in place, and then a discussion of programs that the government ought to enact.

The list for individuals is generally unobjectionable (the first item urges "eat at least one additional fruit or vegetable daily") but incomplete, and this book is far from a call for African Americans to take responsibility for their own lives. Indeed, the list for individuals in every chapter ends with this item: "MOST OF ALL: Hold all leaders and elected officials responsible and demand that they change current policy." And the list of desired government programs is just a warmed-over collection of liberal/left bromides: universal health care, reenfranchising felons, increasing the minimum wage to "a living wage," and so on. Somehow, Mr. Smiley failed to include any essays by John McWhorter, Shelby Steele, or Orlando Patterson.

Here's the kicker, though. In this 254-page book there are exactly two, count 'em, two sentences—and oblique ones at that—on what is far and away the number-one problem facing African Americans: Seven out of 10 black children today are born out of wedlock. Since growing up in a home without a father has a high correlation with most social pathologies, the refusal to confront this issue is cowardly and unconscionable. Fixing this problem would narrow all the other socioeconomic disparities the book complains about dramatically. Most importantly, this is the one problem that could be solved by the African American community all by itself, without government help. It could go from 7 out of 10 to zero out of 10 in nine months, without passing a single bill or spending a dime.

It won't happen, of course—at least, not while Tavis Smiley and other so-called African American "leaders" ignore the elephant in the room.

—Roger Clegg

Getting America Right **by Edwin J. Feulner and Doug Wilson (Crown Forum, 256 pp., $26.95)** This manual, written by Heritage Foundation president Edwin Feulner and Doug Wilson of *Townhall.com*, is one of those books you wish were given to every American. It is a model of argumentation and commentary; the authors do not simply identify a program's failings, they supply a detailed plan to correct them.

This approach is refreshingly straightforward. *Getting America Right* categorizes the main concerns that every careful American considers when examining the activities of today's government—concerns that even those who dispute Feulner and Wilson's solutions will benefit from studying. It narrows them down to six main areas, with a view toward making America more responsible, prosperous, and safe, and surveys past programs, pointing out both their failures and their triumphs.

Getting America Right has the further advantage of sparing the reader annoying arm-chair legislative opining. It suggests antidotes for America's ails by drawing from the words of the Founding Fathers, words that every American can trust to restore our nation to its strong position of promise. The Founders' self-reliant temperament fueled the extraordinary experiment that is our nation, and empowers individuals to play a more dynamic role in the government's activity. The book encourages "We the People" to confront our nation's challenges with greater knowledge of the obstacles, and to trust in the American spirit that has enabled us to surmount them from the very start.

—Mary Rose Rybak

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Al Qaeda conspirator Zacarias Moussaoui will spend the rest of his life in a maximum security prison for his role in the Sept. 11 attacks after a federal jury rejected the government's four-year quest to secure his execution for the deadliest terrorist strike on U.S. soil.
—Washington Post, May 4, 2006

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Wolf J. Flywheel Jr.
Director of Admissions

May 5, 2006

Dear ~~Mr. Moussaoui~~, Zack,

On behalf of the chief executive officer of the preeminent super-maximum prison in the federal penal system, may I extend to you my heartiest personal congratulations, and the warmest of welcomes, to what we call the "Big House." By your recent conviction you have demonstrated remarkable enterprise, and shown yourself to be exactly the sort of person we have come to know so well here in Florence. You can take some measure of satisfaction in knowing that you will be joining hundreds of men from around the country—and dozens from around the world—whose extraordinary actions have put them in the special category requiring incarceration in our facility.

Since we already know a great deal about you, let me take this opportunity before your arrival to tell you a little something about us. While some would describe our living quarters and work regimen here at the "Big House" as "spartan," I can assure you that the vast majority of our residents have found them to be perfectly consistent with sustaining life. Over the years I've had the pleasure of talking with residents about their common latrines, rusted metal beds, and open-air ventilation systems, and all have agreed that various suggested alternatives would be less satisfactory! Some of our more resourceful residents have found real companionship over the years with the lively rodents and wide variety of insect life sharing quarters within each cell block, and the monthly showers are a popular venue for "freshmen" such as yourself to talk to, and form lasting friendships with, more senior colleagues.

I sincerely regret that budgetary considerations prevent us from offering meals consistent with the dietary requirements of your particular faith; but once again, selected residents have assured me that the standard daily meal is consistent with sustaining life. I do not recommend complaining about food or medical problems to security personnel, particularly during the last few days of their biweekly pay period; but if you feel sick or

the weekly Standard
May 15, 2006

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Cutting-Edge Commentary on K–12 Education

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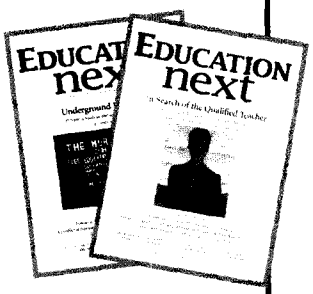
A JOURNAL OF OPINION AND RESEARCH



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In the new issue of *Education Next*

Florida's Program to End Social Promotion

Does retention help low-scoring third graders?

Holding children back in the same grade for an additional year has long been frowned on by schools, with a large body of research seemingly supporting the view that low-scoring retained students drop out at higher levels than low-scoring students who are not retained. However, eschewing old habits and old research, several large school systems, which between them enroll nearly 20 percent of the nation's third-grade students, have been steadily bucking convention and discouraging or even forbidding social promotion. Is this new approach effective? Findings from Florida suggest that the use of standardized testing policies to end social promotion can help low-performing students make modest improvements in reading and substantial improvements in math.

—Jay Greene and Marcus Winters

The Virtual Revolution

Understanding online schools

For better or worse, the Internet is beginning to liberate education from the confines of traditional time and space. As of November 2005, the North American Council for Online Learning listed 157 unique online learning programs in 42 states, including 32 virtual charter schools, 3 online home-school programs, and programs in 53 public, non-charter virtual schools. What do schools without class periods, grade levels, six-hour school days, or 180-day school years look like? Do they use buildings, have classrooms, remain part of districts? How do they help children learn? As technology continues its headlong leap to new frontiers and as we understand more about what works (and what doesn't), education technology will continue to expand and evolve.

—Randall Greenway and Gregg Vanourek

Paid for by the Hoover Institution, Stanford University.

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What do a **Windmill Farm**, **Condos** and a **Hotel** have in common with a **Bank?**

Since America's banking system was first founded, the U.S. Congress has worked to prevent the mixing of banking and commerce. The Gramm-Leach-Bliley (GLB) Act strengthened this policy. Recently, this separation took a giant step backward when the Office of the Comptroller of the Currency (OCC) expanded national bank authority to develop commercial real estate and residential condominium projects.

Some banking conglomerates can now own luxury hotels, condos—even a windmill farm. This mix of banking and commerce is risky and could lead to instability in some of our largest banking institutions.

Are banks about to repeat the mistakes that helped lead to the Savings & Loan crisis? That could spell disaster for taxpayers and America's banking system unless Congress acts now.

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